

1 KODIAK ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL
2 PUBLIC MEETING
3 February 16, 1995
4 City Office Building
5 Old Harbor, Alaska
6

7 VOLUME I
8

COUNCIL MEMBERS PRESENT:

10
11 Mark Olsen, Chairman
12 Vincent Tutiakoff, Vice Chairman
13 Gilda Shellikoff, Secretary
14 Randy Christensen, Member
15 Tom Everitt, Member

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17 Moses Dirks, Coordinator

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ANCHORAGE, ALASKA 99501

P R O C E E D I N G S

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3 CHAIRMAN OLSEN: Good afternoon, folks. We're awful
happy to see you all here, recognizing the tragedy that the
community has gone through. We sure send out our spirits to be
with you through these times of trial, but nevertheless we are
glad to see you here, as we have other obstacles before us that
we must address, and we are here to hopefully inform you of
what the Federal Subsistence Council is all about, what we can
do, and the input we need from the rural people of Alaska to
make this work. So, once again, thank you for being here.

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13 At this time, I would like to call the meeting to
order. Roll call, please, Gilda.

15
16 MS. SHELLIKOFF: Okay. Mark Olsen.

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18 CHAIRMAN OLSEN: Present.

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20 MS. SHELLIKOFF: Vincent Tutiakoff.

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22 MR. TUTIAKOFF: Here.

23
24 MS. SHELLIKOFF: Gilda Shellikoff is here.
Randy Christensen.

26
27 MR. CHRISTENSEN: Here.

28
29 MS. SHELLIKOFF: Thomas Everitt.

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31 MR. EVERITT: Here.

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33 MS. SHELLIKOFF: David Eluska. Herman Squartsoff.
There's a quorum present, two absent.

35
36 CHAIRMAN OLSEN: Thank you. The Kodiak Aleutians
Regional Council is comprised of seven people of probably
different areas representing a different community throughout
the state. At this time I would like to have the council, if
they will please, introduce themselves, who they are and where
they are from, please, starting with you, Gilda.

42
43 MS. SHELLIKOFF: I'm Gilda Shellikoff, and I'm from
False Pass. I've been on the council since it started, and I'm
also involved in other boards, regional and statewide.

46
47 MR. TUTIAKOFF: Vince Tutiakoff. I'm from Unalaska. I
represent the Aleutians and that area on this advisory board
and also am chairman of Aleutian Housing Board, and I'm also
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Secretary/treasurer of the Aleut Corporation Regional Board, and I've been here since the board's been formed. I hope to continue. I think this type of format for the communities, it's our first meeting in a community, and I think that I'm looking forward to having more in other communities so that we can have more input as to what the direction of the people want subsistence on Federal lands to go. Your input is great.

8

9 CHAIRMAN OLSEN: Moses, please, go ahead.

10

11 MR. DIRKS: My name is Moses Dirks, and I'm the Kodiak Aleutians subsistence coordinator, and I've been around since they started forming the 10 regional councils, and initially I started out with Publications for Anchorage and was responsible for writing up the regulations booklet, but I sort of ended up taking over the responsibility of doing Kodiak Aleutians. So, I'm glad that this meeting is taking place in a community like this where there's rural people and we're with the subsistence users. Thank you.

20

21 CHAIRMAN OLSEN: Mark Olsen here. Most of you who do not know me, I am the chairman elect of the council and in my second year.

24

25 MR. CHRISTENSEN: Randy Christensen, from Larsen Bay. I represent Larsen Bay and Karluk, and I've been on the council since the formulation of the council. Vincent and Moses and the others have pretty much summed up what -- pretty much the same input that I have. Thank you.

30

31 MR. EVERITT: My name is Tom Everitt. I'm from the road system in Kodiak. It's a pleasure to be here today and have a number of visitors to maybe respond to us and give us some information that might help us.

35

36 CHAIRMAN OLSEN: I would also, at this time, like to introduce the interagency staff that works with us and that we work with on an ongoing basis, from the US Fish & Wildlife, State, and others. I will start here with Mr. Jay Bellinger, US Fish & Wildlife Service; Robert Stovall, from the Fish & Wildlife Service; of course most of you know Craig Mishler; we have Robert Willis, Rachel Mason, Laurel Everson?

43

44 COURT REPORTER: Evenson.

45

46 CHAIRMAN OLSEN: Evenson, excuse me, our recorder. And Sue (Detwiler) -- what happened to Sue, way over in the corner. So, once again, thank you, and please feel free at any time to ask questions. The only foolish question is one you don't ask.

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1 I might not have the answers or we might not have the answers,
2 But hopefully we'll be able to help find them.

3

4 I guess at this time we will look at the adoption of
5 the agenda, if you will.

6

7 Excuse me, if I may. Is there anybody else
8 representing any other community or tribal or otherwise here
9 that would like to be recognized as part of the process?

10

11 Yes, excuse me, I didn't mean to leave out
12 David Eluska. He is also a part of our council. He is absent
13 today. Of course he's from Akhiok. And Herman Squartsoff,
14 from Ouzinkie, is also a council member who is absent today.
15 Throughout this process I hope somehow you people will, in the
16 future, put an application in to be a part of the council and
17 represent your community.

18

19 Before us we have an agenda. I don't know if you folks
20 have had a chance to look at it. At this time I would just
21 like to take a moment to look at the agenda. If there is any
22 other things that need to be addressed, deleted or changed on
23 this agenda, please feel free to speak.

24

25 MR. PETERSON: Mr. Chair, I'd like to add in, if it's
26 not in there already, the effects of drag fishing on the
27 subsistence resources.

28

29 CHAIRMAN OLSEN: Okay. Let me just see where. Maybe
30 under C. of Other New Business. How would we like to address
31 that?

32

33 MR. PETERSON: The Federal Subsistence Management
34 Council was down here to manage the declining resources for
35 subsistence, like seals and sea lions, and the draggers are out
36 here depleting the resource. That's kind of like -- that's a
37 good issue to bring up, it's declining our subsistence
38 resources, and here you're coming, asking us to manage our
39 declining resources, and one way we can manage it is stop the
40 dragging or do something about it, and do you have any idea on
41 how we can do it?

42

43 CHAIRMAN OLSEN: Okay. I guess under C.4 we will put
44 that, sea lion. Just for your information, this council is
45 only affected through the Federal public lands, and the
46 sea lions come under the National Marine Mammals, but it
47 certainly is, I feel, without discussing this issue as to what
48 and how we can approach this and reverse what has happened to
49.

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2 MR. PETERSON: If everybody sings the same song,
3 somebody is going to listen. Even though you don't have
4 anything pertaining to draggers, you're connected to the
5 decline of harvest seals and sea lions and the over-harvest of
6 their food.

7
8 CHAIRMAN OLSEN: I certainly am aware of it and
9 understand. For the record, will you please state your names
10 when you speak so the record does show who is speaking?

11
12 MR. PETERSON: Jeff Peterson. I wanted to add in the
13 dragging fishing, from Old Harbor.

14
15 CHAIRMAN OLSEN: Yes, thank you, Jeff. Are there any
16 other additions you'd like to see put on the agenda?

17
18 MR. AZUYAK: Hi, Mark. My name is Tony Azuyak. I
19 brought this up before the State Board, I'd like to bring it up
20 here on the Federal Board, it's on subsistence with bear. I
21 didn't look through the agenda. I don't know if it's on there
22 or not.

23
24 MR. TUTIAKOFF: It's not on there.

25
26 CHAIRMAN OLSEN: I don't recall seeing it on there,
27 Tony, but thank you, and I do recall at the past meetings you
28 have brought this up, and, yes, it is a very valid point.
29 We'll put that under C.5, Subsistence Bear Hunt.

30
31 Is there anything else that you would like to see on
32 the agenda? Hearing none, I'd entertain a motion to adopt the
33 agenda.

34
35 MR. TUTIAKOFF: I so move.

36
37 MR. CHRISTENSEN: Second.

38
39 MS. SHELLIKOFF: There's someone in the audience.

40
41 CHAIRMAN OLSEN: Yes, Emil.

42
43 MR. EMIL CHRISTIANSEN: Yes. Emil Christiansen. I
44 think another concern is the sea urchins, the harvesting of
45 them. Nobody has any data on how their reproduction -- how
46 fast they come back. I think we have some urchin divers, they
47 had some big beds at Kiliuda. The guys were diving for them
48 and they're not there any more, and their reproduction, it
49 seemed like they were wiping everything out. They're going to
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move into our subsistence area. I don't know whether we should expand it or -- they're taking all the beds. The guy said over in Homer they are eight feet deep and -- he said around here there's nothing, and if they keep harvesting them the way they are there ain't gonna be nothin'.

6

7 MR. CHRISTENSEN: Mr. Chairman. I'd like to mention
8 something about that. We have the same problem in Larsen Bay.
9 In fact, well, I was hearing there was a problem down here and
10 was wondering how you guys are dealing with it. But I
11 brought it up to the Fish & Game on Kodiak Advisory Council,
12 and they -- the Fish & Game said there said that rather than
13 make a proposal they said just to call in to Fish & Game and
14 they'll stop them. But I told them that our problem was that
15 by the time you call in, the urchins are already taken. And so
16 I'd like to bring up a proposal myself on that to the State
17 level.

18

19 MR. EMIL CHRISTIANSEN: Yes, it's a new fishery, just
20 like them cucumbers. Nobody knows the reproduction, nobody has
21 studied them. Why should you have a fishery when we don't know
22 anything about it. Let's learn before we wipe it out and find
23 out 10 years from now we screwed up, like a lot of things that
24 did happen, and here's the time to maybe do something about it
25 we might as well forget it though, they'll be gone.

26

27 MR. CHRISTENSEN: Supposedly it takes about four years
28 for them to get to a harvestable size, which is about two
29 inches, and I like them when they're around four inches. The
30 trouble is they're all cleaned out in Larsen Bay, and just when
31 they got big enough to start being good to eat again they --
32 somebody came in and cleaned them out again. So, by the time
33 you call Fish & Game, they're already gone. So we were looking
34 for a window just around the village, you know. And I was
35 working on the KAC on the State level, trying to get a proposal
36 going so that we can

37

38 CHAIRMAN OLSEN: Thank you, Emil. These are certainly
39 things we need to hear. Without hearing them from you folks,
40 they seem to go by undiscussed and unnoticed, so thank you
41 again. I guess we should make a slot there, number C.6. on the
42 agenda, for sea urchins, which will come under discussion.

43

44 Is there anything else that you feel is a concern that
45 needs to be addressed?

46

47 MR. PETERSON: Can we leave the agenda open to any
48 changes or additions later during the meeting?

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1 CHAIRMAN OLSEN: Fred.

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3 MR. FRED CHRISTIANSEN: Fred Christiansen. I was just
~~wondering~~, what's the status on the rural subsistence deer
 hunting?

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7 MR. BELLINGER: We have a report.

8

9 CHAIRMAN OLSEN: We do have that on the agenda under
~~the~~ designated hunter, which has been certainly one of our main
~~proposals~~ and topics that's been on the agenda since the
~~genesis~~ of the council. And, thank you, Freddie.

13

14 MR. TUTIAKOFF: Mr. Chairman. I move to adopt the
~~agenda~~ that's an open agenda, due to the fact that we are in a
~~community~~. Some people may come up with some item that we need
~~to~~ discuss.

18

19 CHAIRMAN OLSEN: Okay. It's been requested that we do
~~have~~ the agenda open and flexible as folks may come in that
~~have~~ concerns. At this time I am not opposed to leaving the
~~agenda~~ open. Is there anyone opposed to an open, flexible
~~agenda~~?

24

25 MR. HAAKANSON: Mr. Chairman, what we have been doing
~~when~~ we have meetings like this is you have a board member
~~accept~~ the agenda with modifications, that way we can open up
~~to~~ hear new topics on the floor.

29

30 CHAIRMAN OLSEN: Thank you, Sven. Thank you. I think
~~that's~~ very fitting to where we are at with this agenda today.

32

33 MR. TUTIAKOFF: We need a second for an open agenda.

34

35 CHAIRMAN OLSEN: Okay, we do need a second on this open
~~agenda~~.

37

38 MR. CHRISTENSEN: I second it.

39

40 CHAIRMAN OLSEN: Seconded by Randy Christiansen. Next
~~we~~ have here -- we need to kind of look at our minutes of the
~~October~~ 4 and 5 meeting. I'm sure not everybody has a packet
~~if~~ they would probably like to. Does everybody have the
~~minutes~~ or looked at the minutes of our last meeting? What is
~~the~~ wish of the board; would you like to take a few minutes to
~~read~~ the minutes or would you like them read aloud?

47

48 CHAIRMAN OLSEN: I move to waive the reading of the
~~minutes~~ and adopt the Minutes of October 4 and 5.

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2 CHAIRMAN OLSEN: It's been moved here by Vincent. Do I
3 hear a second on this?

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5 MR. CHRISTENSEN: Second.

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7 CHAIRMAN OLSEN: The minutes have been waived as far as
8 reading at this point. All those in favor, say aye.

9
10 IN UNISON: Aye.

11
12 CHAIRMAN OLSEN: And those opposed?

13
14 (No opposing responses)

15
16 CHAIRMAN OLSEN: The Minutes of the October 4 and 5
17 have been adopted.

18
19 MS. SHELLIKOFF: Mr. Chairman.

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21 CHAIRMAN OLSEN: Yes, Gilda.

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23 MS. SHELLIKOFF: I just wanted to comment, in the
24 minutes there's a paragraph here saying John Borbridge stated
25 that there's going to be an Economic Summit, and that summit at
26 that time was postponed, and it's now going to be at the end of
27 February. That's just for information.

28
29 CHAIRMAN OLSEN: To be held?

30
31 MS. SHELLIKOFF: In Anchorage.

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33 CHAIRMAN OLSEN: I would just like to make a comment
34 here, too, that at the genesis we kind of held our meetings in
35 Anchorage, and we felt they were too far away from our people.
36 We certainly hope that we get enough input and the people will
37 invite us back here again. It's our intent to try to get out
38 and meet the communities throughout our regional meetings.

39
40 At this time we have lost a member of one of the
41 regional councils due to an airplane crash. At this time I'd
42 like Moses here to lead us here with what has happened.

43
44 MR. DIRKS: Okay. We just felt that it would be
45 appropriate to have a moment of silence in memory of Roy Otten,
46 who was a council member in the Seward Peninsula, it's one of
47 the regional councils in the northern part of Alaska. And Roy
48 was appointed by the Secretary of the Interior to a two-year
49 term on the Seward Peninsula Subsistence Regional Advisory

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Council, and he was serving on the council up until his untimely death during the plane crash in December of '94. He served a one year term as the vice chair of the council during it's first year of operations. Roy was a traditional and subsistence user and commercial fisherman residing in Koyuk, Alaska, and he knew the resources and the uses very well. He was an acknowledged expert on caribou in his region, and he had outstanding communication skills, especially in a cross-cultural nature, and he was highly respected by local people that he represented on the local Fish & Game Advisory Committee and the Board of Directors for the regional non-profit corporation. And he was active and participated in the meetings. And we offer this moment of silence in this memory.

15

16 (Pause in silence)

17

18 CHAIRMAN OLSEN: Thank you, Moses. Sometimes it is very hard as we go through these processes with the different opinions of different sides of the issue, but we do all try very hard to work these out in a democracy way. I would say losing somebody on a council sometimes really does retard it as so many things happen, and to try to replace some of these people, it takes a lot of knowledge along with them.

25

26 I guess next I would like to take any public comments on the Federal Subsistence Program. Would anybody here like to make a comment or ask any questions on where we are, what we stand for, how we go about it? Certainly a lot of times it's tough to describe our own roles in this position, that we are getting educated to the system, and if there's anything about the program that anybody wishes to ask at this time, we are here to try to answer them.

34

35 COURT REPORTER: Would you invite them to the microphone and ask them to state their name for the record?

37

38 CHAIRMAN OLSEN: Yes. Rick. Please

39

40 MR. BURNS: Rick Burns.

41

42 CHAIRMAN OLSEN: I guess he's close.

43

44 MR. BURNS: Earlier, on the open agenda you were addressing the issues of marine sea life which in the coastal communities of Alaska is the main subsistence source, especially around Kodiak Island, and, I believe, up and down the coast and probably the same in the Aleutians, because of the past limited ability -- limited numbers of upland animals

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to which you said that basically your rules and regulations would apply. I think it should be -- I don't know how your powers of request are, but you should request to the Department of Interior to expand your authority of rulemaking into the marine environment to a degree for subsistence use. That is the predominant subsistence use in the coastal communities and the southcentral portion of Alaska. That way if you address issues like sea lions, you'd have more of an impact and you'd be dealing not only with US Fish & Wildlife Service but you would be dealing with the National Marine Fisheries Service as well. And I don't know how you would go about that, but it would be a recommendation that if possible the board could request something like that, that it should be forwarded, because I've known in the past -- we've had meetings when this board was being formed two years ago, and the representatives from Fish & Wildlife Service came down here and was explaining it to us, and most of our concerns dealt with the maritime refuge area, and most of those issues were issues that, as a board was designed, could not be dealt with. It was National Marine Fisheries Service that had the jurisdiction over those resources.

22

23 I just wanted to see if that would be a possible
24 request to the Department of Interior -- Secretary of the
25 Interior, to try and get a cross jurisdiction of these boards
26 for these marine resources.

27

28 CHAIRMAN OLSEN: Thank you, Rick. I will try to
29 explain, as best I can here, from the latest information as I
30 see our situation here, not only in Kodiak but along the
Aleutians and the Pribilofs to which is under our region at
this time.

33

34 Not so much directly with the marine mammals but as far
35 as the fisheries goes, being an island certainly a great
percentage of our subsistence comes from the ocean which is not
under our jurisdiction except for areas that are Federal public
lands, such as Womens Bay, around Kodiak, and a few of these
places. I guess some of the answers I got were the ones, as I
expected, that since the Aleutians did not really have any
Federal public lands on them there was no impact that we as a
Council had. So in basics, they are not a part of protecting
their subsistence, and that really disturbs me.

44

45 Upon commenting on that, we are certainly hoping -- and
this is another matter that's still off in the distance, as far
47 navigable waters has been questioned and in ruling and been
bumped around. Upon asking this question to Mr. Goltz, which
49 from the Solicitor's Office, he did give me some

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encouragement by saying that the Federal government could in fact take jurisdiction of some of these State lands if in fact the State regulation had a negative impact on the Federal statute. That's basically as far as we've gotten on that so far, but it's certainly is a target that we have to shoot for and whatever way we are able to get in there to protect our subsistence rights, we will be working with it, Rick, and hopefully we can have some impact from your community here to justify our reasoning. Thank you.

10

11 Emil, yes.

12

13 MR. EMIL CHRISTIANSEN: Mr. Chairman, I want to know you guys' role with the -- you know that Kodiak has a subsistence -- it's State and you guys are Federal. Do you guys try to work together or will you guys work against each other on the proposals or -- I served on the Kodiak Advisory Board for seven or eight years and subsistence always came up, it wasn't a priority to them, they didn't give a care. Well, if they got proposals there, will they come to you guys or how does that work?

22

23 CHAIRMAN OLSEN: Robert, would you care to address that? I certainly have my own comments on that.

25

26 MR. WILLIS: Our systems work separately, actually, but kind of in the same format. The Federal program began in 1990 and it was patterned after the State program because people in the state were familiar with that type of a format. That is the -- any citizen in the state can submit a proposal for a regulation or change in a regulation to the State Board. They can do the same thing to the Federal Subsistence Board. And the -- I think the State Board meets in March and the Federal Board meets in April. The same kinds of things are going on.

35

36 These advisory committees that you were a part of, I'm sure, submitted regulations to the State Board. This group, the regional council, some of you here can also submit proposals, changes and regulations to the Federal Board. But the two are really not connected. When there's a regulatory difference between the State and Federal regulations we try to make them the same if there's no reason for them to be different. The State may pass a regulation and, at their board meeting in March, affecting the deer season on their portion of Kodiak Island. Well, our board meets in April. We don't really have time to react to that first year, but then the following year we look at that change and try to decide if we need to change the Federal regulations to do the same thing. We may or we may not. The subsistence needs may be different

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from the State needs on State land. So we'll maintain a different regulation. But the systems work very much in the same way, but they're not really connected.

4

5 MR. EMIL CHRISTIANSEN: Yeah, I think my problem was the State wouldn't listen to our proposals on subsistence, they were just commercial, 'cause I tried to bring up the bear -- the bear they used to harvest around here before the big guide game came in and kind of pushed the Native people aside and said we can't hunt bear any more, it's not subsistence, it's not recorded, so you guys can't do it. And Old Harbor, that's all they lived on back in the old days, and I tried to tell them in Kodiak and they don't even want to address the issue. So maybe here's where we can do it.

15

16 MR. WILLIS: Yeah, the Federal Subsistence Board deals only with subsistence issues, not with commercial guiding and not with the State sport hunting on State and Federal and private lands; only with subsistence hunting on Federal public lands.

21

22 MR. EMIL CHRISTIANSEN: Yeah, you know, I wouldn't want to see the bear get wiped out 'cause everyone wants to go eat a bear. You know, there are some old timers that still live in the village that eat 'em and wish they could get one. They tried -- the State tried to make it where the guides would bring the meat out, and that didn't work or something. That didn't work, they don't want to mess with it. They shoot the bear, take the hide and leave the rest for the animals.

30

31 MR. WILLIS: In Unit 5, the Yakutat area, down in Southeast Alaska, last year we passed a regulation -- the Board passed a regulation which allows the taking of a bear every year instead of every four years for subsistence use.

35

36 MR. EMIL CHRISTIANSEN: Okay, yeah, there's still some old timers who like to eat 'em, and I think, you know, I'm just speaking for them 'cause I wouldn't eat a bear.

39

40 CHAIRMAN OLSEN: Thank you, Emil.

41

42 MR. CHRISTENSEN: Mr. Chairman. I'd like to maybe talk to -- mention to Emil, too, on that, getting back to the urchin problem. The waters around the villages, which I'm sure you're concerned about, they come under the jurisdiction of the State. Isn't that right, Craig? And so that's why I was mentioning that a proposal should be brought up to the State -- or to the like the Kodiak Advisory Council. You know, there's a representative from Akhiok and Old Harbor and also from

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Port Lions and Ouzinkie, and then I'm also on that council for Karluk and Larsen Bay. And I think, you know, if it's a problem for all six villages, you know, maybe the three of us could get together and draw up a proposal. There's people to help out with the job of drawing up proposals. But that would come under State jurisdiction.

7

MR. EMIL CHRISTIANSEN: Yeah. There is boundaries for where a sea urchin guy has got to stay out of, like Push Point and Borrowing Bay, but they've about finished everything on the outside, what's going to stop him from coming inside, and if we're not watching that's what's gonna happen. That's what my biggest fear of that urchins is their reproduction. I mean I've gone through the reproduction four years, but what else eats them or -- you know, we find them dead on the beach all over, storms kill them, everything kills them. I think this four-year reproduction, for all I know that's just a wild guess. You know, just anything that turns into a new commercial fishery that was subsistence before they turned it into commercial -- the Japs ate all theirs, now they're starting on Kodiak Island. We all know that, that's where they're going.

23

CHAIRMAN OLSEN: Thank you, Emil. I just want to subject here, number one, the process, the best I can explain it here, we are only the advisory council, but it does, seemingly to me, they are looking at us with more -- giving us a little more authority and listening. In fact, at the last meeting we addressed that in Anchorage, saying that we are having a lot of problems because it's not what a grass roots regulation -- in other words, regulations are coming from the top down and they don't fit or meet them. There comes a point where we come to rock heads, so to speak. We are trying to invert that process to be grass roots, to hear from the people that utilize the resource for subsistence. We are here to hear your concerns. From there we are -- do everything we can to help you with a proposal to take to the Federal Board, which will make the final rule.

39

Certainly we do have indifferences, but that's okay. When I say that, I mean between Federal and State.

42

MR. EMIL CHRISTIANSEN: Yeah, 'cause it seems like all the regulations that are made are made on the top and nobody finds out what's underneath, and they shove it down our throat and say, here it is, don't complain now, we made you a regulation. And, hey, we didn't ask for that, we want to help you. Now with you guys sitting here, I think you might be able to push the system the right way where you meet and you guys

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272-7515

come to an agreement instead of we just take it in the shorts.

2

3 CHAIRMAN OLSEN: Right. This is what we're trying to
4 do, and hopefully this process will help streamline it and help
5 those that don't live a subsistence lifestyle understand those
6 of us that do. But it certainly had a lot of support in our
7 meeting in Anchorage, Monday and Tuesday of this week. It's
8 brand new again, but we will continue to work on these, and
9 this is another reason why we're here. We need to hear this
10 thought from the people that utilize it before we can make any
11 kind of progress to change the inequities as they be.

12

13 Thank you, Emil. Is there any other comment?

14

15 MR. MISHLER: I guess I

16

17 CHAIRMAN OLSEN: Yes, Craig.

18

19 MR. MISHLER: I'm Craig Mishler, Fish & Game. What
20 we're talking about here, what is confusing to a lot of people
21 is that we've got this dual management system in place between
22 state and Federal government and we've almost got dual
23 management within the Federal government because National
24 Marine Fisheries Service is not part of the interagency group
25 that established the Federal Subsistence Board and the advisory
26 councils that are part of that structure. So, all of this --
27 and then you have National Marine Fisheries Service managing
28 marine mammals and then Fish & Wildlife Service does some
29 marine mammals, and the Fisheries Service does other marine
30 mammals, and it really gets to be a confusing thing for the
31 average subsistence user, not knowing which agency has
32 responsibility or authority and what the regulations are. And
33 at least, I guess, we're opening up the communications here by
34 having a local meeting where a lot of questions can be
35 answered. So, I think it's good that we know we're confused
36 and we're here to talk about it.

37

38 CHAIRMAN OLSEN: Thank you, Craig. Certainly when I
39 talk about the obstacles ahead of us, this is just another part
40 of it, but without trying to resolve them, they go unnoticed.
41 So, we are striving to meet the needs of the people that are
42 subsistence users.

43

44 MR. TUTIAKOFF: Mr. Chairman.

45

46 CHAIRMAN OLSEN: Yes, Vince.

47

48 MR. TUTIAKOFF: Are more of these available? You
49 should review this manual here. These are the management

50

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272-7515

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regulations and it shows on page 4, I believe, the process that if you want to make a recommendation for changes regarding any subsistence use, it shows you the process right in there. And this is one of the processes we're at right here: Bring the proposal to us in written form -- it's best in written form so we can break it down, use our staff and get it into a legal form before we can pass it. And as only a regional board here, we take it to the Federal Board. They have the final say on the approval of it. So this is the process right here, and if you look through this real quick you can find on page 8 -- I guess it starts on page 6 and goes to page 8. Then you can make a proposal in writing. We'll be glad to look at it while we're here during this meeting.

14

15 And you can do that very quickly if you get together as a group here in regards to the sea urchins and also the other one there we had earlier. Send them up to us so we can have something to work with. Right now we're hearing all of this and we'd like to act on them as a community or as a group thing, a proposal. So maybe after this introduction process, you as a group can get together and then come back to us maybe in the morning or this evening, if we decide to have an evening session, I don't know, but it really would help me. I would like to see something come out of these meetings other than just say we can't do nothin' because we're butting heads with Fish & Game and we're butting heads with NOAA, and then we're back to where we were two years ago, we're still doing it. So this is what we need to have happen.

29

30 CHAIRMAN OLSEN: Is there any other comment? Yes, Sven.

32

33 MR. HAAKANSON: Mr. Olsen, Sven Haakanson here. Not long ago -- a few years ago we seen a tape by (indiscernible), put out by NOAA on the Discovery Channel about in Iceland and Greenland

37

38 CHAIRMAN OLSEN: Excuse me, Sven. Could I have you come up to the microphone here for the recorder's benefit.

40

41 MR. HAAKANSON: I thought you could hear me.

42

43 CHAIRMAN OLSEN: I can, but I don't know about the recorder.

45

46 COURT REPORTER: Thanks.

47

48 CHAIRMAN OLSEN: Thank you, Sven.

49

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1007 WEST THIRD AVENUE
272-7515

1 MR. HAAKANSON: I'm Sven Haakanson, from Old Harbor. I
 2 wanted to talk about the film that I believe was put out by
 3 NOAA on the Discovery Channel. One time it showed Iceland and
 4 Greenland, how the draggers killed all the bottom fish outside,
 5 and pretty soon ducks and mammals and everything else started
 6 dying because they just destroyed the ecosystem there. And
 7 what worries me is you see the same thing right outside of our
 8 island here doing the same thing, and with the experience they
 9 had over there, they should show that fellow Mallott more and
 10 say we're going to do the same thing here. And if they keep
 11 dragging, because they take only a certain amount of the fish
 12 and they throw all the non-target species away, it's wanton
 13 waste is what it really is.

14

15 And I tried for years to have a proposal, that it be
 16 brought to the villages, missions and stuff like that, but they
 17 throw it away. Great big halibut. When there was no law they
 18 used to bring in king salmon and red snapper, halibut. But
 19 when I went down and talked to one of the old skippers, they
 20 said, "We can't do that anymore. If we bring one fish in,
 21 we'll get busted. We have to throw them overboard." He said,
 22 "I know it's sad." And it's things like that.

23

24 When I was mayor here, I used to feel sorry for the
 25 guys coming in, they want to call home. I'd let them in my
 26 office and they'd call home, and I heard this guy telling them
 27 that once they get their drag up and speed up the sea lions get
 28 there, and some are alive, that's in the throat, and when
 29 they get on deck they have to club them and roll them
 30 overboard. He said, "We killed 16 sea lions today." And I was
 31 thinking, if we had eight sea lions, we used to feed the whole
 32 village maybe every six months. And here they're killing the
 33 sea lions off with those draggers and all that other fish and
 34 they've experienced this in other parts of the world, it's got
 35 to be shown so we can put a stop to that.

36

37 You go on back, the old timers that when the herring
 38 plants were on Raspberry Straits, three big ones, they fished
 39 that area out, and they came down here and one set would
 40 load up three big tenders. They killed that off. Then the
 41 shrimp came and they killed that off. The crab came, they
 42 killed that off. And now they're taking our bottom fish, and
 43 oh golly, if we haven't any experience and if they don't take
 44 our recommendation, they've got to do something and stop those
 45 draggers.

46

47 I was talking to Mr. Christiansen this morning. He
 48 mentioned if they'd make cod fish, like for the cod and stuff,
 49 everybody could, from the villages and the smaller boats, could
 50

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1007 WEST THIRD AVENUE
 272-7515

make money and bring it home.

2

3 The Outside boats -- another thing I was upset about,
 4 they come in, they order 40 crew members from Seattle. They'll
 5 sneak into Kodiak, dump the other 40 off and get 40 more on and
 6 go out again, and they won't go to our unemployment office,
 7 even in Kodiak, and hire anybody from the village here. And
 8 their taxes -- they don't spend a dime here. And if it was
 9 brought to our people or even Kodiak, so if they can't stop
 10 them from dragging, at least make them bring the fish ashore
 11 and be processed here, like they do in Canada. It will at
 12 least put us to work while they're killing our land off.
 13 Thank you.

14

15 CHAIRMAN OLSEN: Thank you, Sven. That's very powerful
 16 testimony, as we are aware of. Unfortunately, those that make
 17 the regulations don't understand this problem, and I guess
 18 that's what our function is, to hopefully bring this to their
 19 attention and get this process changed so it doesn't continue
 20 diminish our resources. Thank you.

21

22 Is there anybody else here who has a comment?

23

24 MR. CHRISTENSEN: Mr. Chairman, I'd like to comment on
 25 presentation on Emil's concern and also your concern. I'm
 26 not exactly -- I know there's -- for the villages there's three
 27 different representatives, and I know I was appointed -- my
 28 appointment came from representing Karluk and Larsen Bay. Now,
 29 David Eluska, I'm not sure if he represents -- he's from
 30 Ahhiok, but I'm not sure if he's also representing Old Harbor.
 31 But I think Herman Squartsoff is representing Port Lions and
 32 Ozinkie. Now, one thing I would like to bring to your
 33 attention, that David Eluska missed the last four meetings, and
 34 the concerns should go on the ladder to -- I believe to him,
 35 and he would be on the council to bring that up in our new
 36 business. That's one thing you might consider.

37

38 I know there are applications sent out to every city
 39 council, applicants that want to be on the council. As far as
 40 Larsen Bay and Karluk, I'm the only applicant so I
 41 automatically got the position.

42

43 MR. JACK CHRISTIANSEN: Yeah, Randy, I'm on the
 44 advisory board here but the weather hasn't been good enough
 45

46

47 MR. CHRISTENSEN: I'm talking about the Federal
 48 council.

49

50

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 272-7515

1 MR. JACK CHRISTIANSEN: Oh.

2

3 MR. CHRISTENSEN: Yeah, and I also missed the last KAC
 4 meeting, too. That was State. I know you're on the council
 5 and I missed that same one, too, because of weather. And, you
 6 know, -- I realize that, but David Eluska, I believe, is on the
 7 Federal council, this council, and I'd just like to bring your
 8 attention to it. If nobody -- if you weren't aware that he has
 9 missed the last four meetings, and usually his excuse was that
 10 he had KANA meetings to go to. You might consider if there's
 11 enough interest, that's one thing we'd like to bring up if
 12 there's -- you know, these concerns, you might consider filling
 13 out these applications and getting on the council so that you
 14 can bring your concerns to the council so that we can make
 15 proposals and advise the Federal board.

16

17 CHAIRMAN OLSEN: We will, I believe, on to the agenda,
 18 we discussing the process of application and how you -- the
 19 Secretary of the Interior and Agriculture -- it's quite a
 20 lengthy process, and we are, hopefully, looking at streamlining
 21 it a little better, but certainly it would sure be nice to see
 22 applicants from all entities on this.

23

24 MR. DIRKS: Mr. Chairman. We brought in some
 25 applications. The deadline for applying for this Federal
 26 advisory council position is the end of this month, so there's
 27 still time for those that are interested in applying for it.
 28 I think we have a few applications in the back.

29

30 And also I would like to bring up, Vincent brought up
 31 this proposal regulation, how to draft regulations into
 32 proposal form. At this time we are not doing that. That
 33 happens back in the fall of this coming year. That's when they
 34 do the proposals, but if there are people here that want to
 35 draft a proposal, we'd be more than happy to help them, you
 36 know, start drafting one so that we're not taking proposals
 37 right now.

38

39 What we will be doing -- the council will be doing is
 40 discussing those two proposals that were submitted in the fall.
 41 Now we're doing the public comments and the staff analysis,
 42 and then we'll be discussing those two proposals this time
 43 around. So that's what I wanted to make clear.

44

45 CHAIRMAN OLSEN: I just want to interject here, too,
 46 that this is a good time to be thinking on these proposals as
 47 spring and summer approaches. We all get busy and before we
 48 know it fall is upon us and it's before the board and another
 49 year seems to slip by.

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 272-7515

1
2 Secondly, on these positions on the council, it does
3 state that after two unexcused absences of the council is
4 grounds for dismissal. I think we are going to wholeheartedly
5 look at that, as to the position that the council is in. We
6 feel that those that desire to sit with the council should be
7 dedicated to the council. We hope to be able to -- I guess for
8 a loss of words here, just we want everybody to know that we do
9 take this serious, and to miss so many meetings is not doing
10 the council or the people any good.

11
12 MR. FRED CHRISTIANSEN: Mr. Chairman.

13
14 CHAIRMAN OLSEN: Yes, Fred.

15
16 MR. FRED CHRISTIANSEN: Fred Christiansen. I would
17 like to support exactly what you said on the unexcused missing
18 meetings more than two times, because I serve on the KANA
19 board, and I had a very tough decision to make on whether I
20 wanted to be at the KANA board or be here, and I chose to be
21 here. So, if these unexcused -- if he's unexcused more than
22 twice, and I don't think that there should be any kind of
23 thought of excusing him off -- of moving him off the board. I
24 mean, if he's serious about it, he wouldn't have missed the
25 meetings, or at least he would have had some kind of -- you
26 know, somebody there representing Akhiok or whoever, but I just
27 want to support exactly what you said.

28
29 CHAIRMAN OLSEN: Thank you, Fred. It certainly is a
30 difficult job that we have, to begin with, and without
31 participation it makes it a little more difficult. The other
32 difficulty is around the region we all seem to know each other,
33 but here again we have our responsibilities to the council
34 ourselves. And we do want those involved -- how do we
35 determine whether they're unexcused or not? I'm sure before
36 this meeting is adjourned we will be discussing that amongst
37 ourselves and we will come up with an answer. Thank you.

38
39 MR. FRED CHRISTIANSEN: Thank you.

40
41 CHAIRMAN OLSEN: Do we have any more comments on the
42 program that anybody would like to voice?

43
44 MR. FRED CHRISTIANSEN: Mr. Chairman, Fred Christiansen
45 again. I was just wanting to know what major successes you
46 guys feel that you've accomplished since this has been put
47 together.

48
49 CHAIRMAN OLSEN: That is a tough question, as you see I
50

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1007 WEST THIRD AVENUE
272-7515

I guess the biggest progress that I can see at this point is to basically learn the process and who is involved with the process and how we can overcome those inequities that we feel we are burdened with us through regulation. We certainly -- I feel that from the beginning in the first meetings that we had there seemed to be more derogatories than there was a consensus of working together. To me that's probably one of the biggest things we have to get through is to make our statesmen realize exactly what is subsistence to us, and I feel our voices are now being heard, that we are not there just for personal gains but as a lifestyle, and we are not there to threaten any species, and we are there to work with conservation. I think by getting across that bridge we can look to our goals being met in the near future.

15

16 We did have the designated hunter which was one of the first proposals we worked on, and there still is some question on how that is going to actually work, once and if it is accepted, which at this point it shows every reason why it will work, but there still are a few points that are unclear on that, Fred. But I can only say that to have so many different agencies involved in a major topic, these are the first important hurdles to get through to be able to work together in harmony to be able to resurrect any inequities.

25

26 MR. FRED CHRISTIANSEN: Thank you.

27

28 CHAIRMAN OLSEN: Yes, Robert.

29

30 MR. WILLIS: Mark, if I could add a little bit to that for Freddie's benefit.

32

33 CHAIRMAN OLSEN: Sure.

34

35 MR. WILLIS: I work with three different regional councils, this is just one of them. The other two are Southcentral and Southeast. And, as you mentioned earlier or someone mentioned earlier, most of the concerns with the Kodiak Aleutians are marine oriented, which we don't have jurisdiction over at this time. The other two regions have a lot more subsistence issues that we can deal with; moose and caribou and deer and bear and so forth.

43

44 Last year we had 80-something proposals for regulatory changes suggested. A great many of them were recommended by the Federal Subsistence Advisory Boards, such as the one here, and I don't remember the exact numbers, but about 85 percent of the recommended changes that were made by this council were accepted by the Federal Subsistence Board. So that will give

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1007 WEST THIRD AVENUE
272-7515

1 you some indication of the impact that these boards are having.
 2 We didn't have that many proposals to deal with with
 3 the Kodiak Aleutians Board and so that's why it's not as
 4 dramatic here as it is with some of the other regions, but they
 5 are having a very significant impact on the regulations -- the
 6 Federal Subsistence Regulations.

7
 8 MR. FRED CHRISTIANSEN: Thank you.

9
 10 CHAIRMAN OLSEN: Thank you, Mr. Willis. I would also
 11 like to inject here, once again, we have had some significant
 12 proposals that in the past I have seen die. I certainly hope
 13 that these proposals are brought up again. I feel the council
 14 here has had more experience and gotten to know the staff and
 15 who to work with as how to get these proposals into a form that
 16 can be accepted.

17
 18 When I say that, the elk last year was rejected there.
 19 These are important to all of us. I would sincerely like to
 20 see it brought up again this fall because I think they are a
 21 reality and I know they are to me.

22
 23 MR. CHRISTENSEN: I'd also like to mention, Fred, that
 24 this is a fairly new council, too, because we -- I think we've
 25 only had like five meetings, you know. There's only about two
 26 years, so we're basically in the learning process of this
 27 ourselves, but I think we're starting to get better and better
 28 as we learn, 'cause we're learning we've got a tremendous
 29 amount of paperwork to try to go through, and that's just the
 30 way the government works. But, you know, I think we're getting
 31 better. But we were basically in the learning process, like in
 32 the first year, ourselves.

33
 34 CHAIRMAN OLSEN: The one thing I'd like to mention,
 35 so, is that when the Federal government took over jurisdiction
 36 of public lands they had no regulation system because they
 37 weren't in the business. Therefore, the majority of regulation
 38 was then as the State had regulated it, until changes could be
 39 made. So that is one situation where we have had to accept and
 40 look at and try to work with it -- different agencies to meet
 41 our needs and wishes.

42
 43 I think at this time, if we could, take a short break.

44
 45 COURT REPORTER: Off record.

46
 47 (Off record)
 48 (On record)

49
 50

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1007 WEST THIRD AVENUE
 272-7515

1 CHAIRMAN OLSEN: I'd like to call the meeting back to
 2 order, please. The next part of our agenda, I guess, that we
 3 will be looking at and discussing here is the Old Business. We
 4 do have some staff reports and other reports at this time.

5
 6 First of all, I guess we would like to bring up the
 7 Federal Subsistence Board meeting of November 1994. I will ask
 8 Moses here to give us a quick overview on the meeting of
 9 November. Thank you.

10
 11 MR. DIRKS: Okay. Thank you, Mr. Chairman. This
 12 particular meeting was to discuss -- the Federal Subsistence
 13 Board met back in November to go over some requests for
 14 reconsideration and special actions, and what they had -- what
 15 they referred to, requests for reconsideration, 94-03, was the
 16 Kodiak King Crab on Gear Restrictions on Subsistence Pot Gear
 17 and stuff like that. So they brought in Mark to testify to the
 18 Board about this request for reconsideration, so he went into
 19 Anchorage and testified before the Federal Subsistence Board.
 20 And this was in reference to the king crab in the
 21 Womens Bay/Gibson Cove area for subsistence crabbing. So, I
 22 will go ahead and let Mark talk to you about what transpired as
 23 far as the meeting went and who the people that testified were.

24
 25 CHAIRMAN OLSEN: Yes. Thank you, Moses. It certainly
 26 is a very -- a concern of mine, in my short life span, to see
 27 the king crab population of Kodiak from what was known as the
 28 king crab capitol of the world to now without having a
 29 commercial season for the past 12 years. I was certainly young
 30 enough at that time to hear and understand what had transpired
 31 in the early days of the king crab.

32
 33 The decimation, certainly I couldn't follow the
 34 biological reasoning. Biologically the claim is that the older
 35 king crab are the roles in reproduction, and yet by law we can
 36 keep nothing less than the prime role reproductions in the king
 37 crab industry. My argument is and was if we continue to take
 38 the prime reproduction of the species what does that leave us?
 39 I don't think you have to be a rocket scientist to know that
 40 this had a very important part of the decline.

41
 42 Moreover, as the seven-inch and greater carapace
 43 declined, that's what they expected us to subsist off of, which
 44 meant a more scarcity of king crab for us to set on our tables.
 45 For those that ate king crab, as you well know, is a fairly
 46 high class dish anywhere else in the world and yet a
 47 commonplace item on our plate, which was being refused.

48
 49 Fortunately enough, with very little information and no
 50

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1007 WEST THIRD AVENUE
 272-7515

graphs, as opposition had, we did finally get through to the Federal Board on this regulation, and the seven-inch minimum for subsistence was rejected. In other words, on Federal public lands it is not regulation that it has to be seven-inch or greater carapace for subsistence use. However, along with that we had to justify how we are going to control abuse on the issue.

8

9 With that we proposed the regulation of smaller pots. At we know in the past, the other vessels in the area, whether it be summer tendering or winter hunting, they always bring their crab gear along with them and abused the subsistence crab. We felt by giving a 75 cubic foot maximum crab pot this would eliminate the commercial boats from bringing their gear in and targeting on the subsistence crab, therefore diminishing. We all know that when we get a big 8 by 8 and we pull it aboard, what's known to us as trash or undersized, a lot of times they weren't handled very gently by return to the sea, and I feel that that has a big impact on it.

20

21 So, nevertheless, the argument, I felt from my standpoint and those that supported it, I think it's a good regulation, whereas subsistence is a very, very small percentage -- I would say I think the highest in any one category is 3 percent. But I feel that it was very well justified that we, as subsistence users, should not have to compete farther offshore for a meal on our table.

28

29 If there's any feedback on that, how you see it, I would certainly like to hear, as it was not -- I wasn't given a whole bunch of time to research and get comments on it before justifying, but it will be discussed later on on the agenda.

33

34 Yes, Rick.

35

36 MR. BURNS: Just a quick question. What's size pot does that 75 cubic foot represent?

38

39 CHAIRMAN OLSEN: Well, I don't

40

41 MR. BURNS: I don't know the configurations, but in general is that a 5 by 5 or something like that?

43

44 MR. WILLIS: 5 by 5 by 3 would be 75 cubic feet, Rick.

45

46 CHAIRMAN OLSEN: Right. Depending on -- we did not want to inject a regulation that would throw out a crab ring or anything else, but only trying to justify it by a smaller pot. Since we are only allowed five pots and six crab in possession

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1007 WEST THIRD AVENUE
272-7515

per day, I did not see any reason why we should be using 7 by 2s or 8 by 8s. And also to limit the abuse. Yes.

3

4 MR. GATTER: Mr. Chairman. My name is George Gatter. As far as the king crab subsistence, a lot of people around here, they don't have the vessels or the gear to go with any king crab subsistence, so a lot of times they'll just take whatever is in the pot, which is usually more than the -- you know, the possession allows you. And it's not -- I believe it's not a -- most of the time it's strictly between people in the community, not just by one person, and I think that's kind of an issue there, as far as, you know, older people or people that don't have the vessel or the gear to do the subsistence for the king crab.

15

16 CHAIRMAN OLSEN: I certainly want to thank you for that comment because under these different topics we ask what is subsistence. Certainly it covers a wide range and it flat comes down to a lifestyle. It is not just the eating but the spirit and everything else that goes along with it. Unfortunately, at this particular time, it only covered the federal public lands, which there is very few. The little bit of area that it covers, this particular regulation is only for those waters under the jurisdiction of Federal public lands, which right next to Kodiak one of the biggest is Womens Bay. Other than that, the regulation still is status quo under the state regulation. Certainly it's up to people that disagree with it to show their concerns, if there is any otherwise.

29

30 MR. DIRKS: Other people might want to comment, too.

31

32 CHAIRMAN OLSEN: Is there anybody else that would like to comment on any -- is there any council members that have a comment?

35

36 CHAIRMAN OLSEN: Hearing none -- did you need

37

38 MR. TUTIAKOFF: I'm just reading your minutes of the November 14 meeting. I'm trying to get the update because I wasn't at the meeting. Basically what I'm understanding is the state is saying that anything from seven above we can take, and the minimum is five years, they need two years to mate, and originally our subsistence use was for 3-1/2-inch?

44

45 CHAIRMAN OLSEN: No. There was no size limit.

46

47 MR. TUTIAKOFF: No size limit. Well, 3-1/2 was mentioned here earlier, and that's why I was wondering.

49

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1007 WEST THIRD AVENUE
272-7515

1 CHAIRMAN OLSEN: That was in reference to Womens Bay
 Being a rearing grounds, and predominantly that gave a size of
 the crab in the majority. Certainly there was mixed stock
 there.

5
 6 MR. TUTIAKOFF: Originally we did pass a no size limit,
 and what they're doing is coming back from Fish & Game and want
 to go back to the seven-inch, right?

9
 10 CHAIRMAN OLSEN: Right. If you recall, at our council
 meeting we did not support that proposal.

12
 13 MR. TUTIAKOFF: Right.

14
 15 CHAIRMAN OLSEN: And then from there it went to the
 Board -- the State brought it back under what is known as RFR
 to request for reconsideration.

18
 19 MR. TUTIAKOFF: Uh-huh (affirmative).

20
 21 CHAIRMAN OLSEN: Any more comment?

22
 23 MR. CHRISTENSEN: One comment I'd like to make. Too
 bad we didn't have a map to show, but just for your information
 the Federal public lands, I believe, is just an area around
 Adognak Island and that Womens Bay area, and just a small,
 little portion outside of Karluk. So a lot of this area down
 there wouldn't come under that jurisdiction.

29
 30 CHAIRMAN OLSEN: Next here we have, under Old Business,
 the Alaska Maritime National Wildlife Refuge, Aleutian Islands
 Unit. I believe Mr. Willis will give us a report on that. And
 just to follow up, the next item is also the item, the National
 Wildlife Refuge. I think Mr. Willis will cover that portion,
 too. Mr. Willis, please.

36
 37 MR. WILLIS: Thank you, Mark. None of the staff from
 either of those refuges could be with us today so they have
 sent some memoranda to me indicating what's happening on a
 couple of the issues involved that this council had shown
 interest in.

42
 43 The first of those on the Alaska Maritime deals with
 the Adak Island caribou situation. As you recall, there was a
 number of caribou introduced there some years ago, and in order
 to allow the Navy personnel on the island something to hunt and
 to provide meat, with the cutback in the Navy's base there,
 there would not be nearly enough hunting to control that
 population of caribou, and they would certainly over-browse
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 272-7515

their range and destroy it and then subsequently starve to death. And so a decision was made to remove the caribou from the island.

4

5 An environmental impact statement was issued a few months ago with several alternatives for removing those caribou. I'll run through those alternatives quickly. First is what we call a no action alternative, which is to allow the caribou to continue breeding to the point where they would overgraze the island and damage the island's ecology. The other was to kill all the caribou on the island and salvage the meat for human consumption. Alternative three was to kill the caribou without salvaging the meat, which would have been less expensive but would have wasted the meat. Number four was to move the caribou to a suitable site or sites. Number five was to introduce the sterilized wolves to prey on the caribou and hold their numbers in check as best they could. And number six was to attempt to sterilize all the caribou of one sex, which would eliminate reproduction but eventually the herd would be eliminated through natural mortality.

21

22 The consensus or the recommended alternative that was developed was to remove some of the caribou, as many as could be handled, and transplant them to the Kenai Peninsula and to two islands in the vicinity of Cold Bay, down at the southern end of the Alaska Peninsula. That is still the preferred alternative, but after the environmental impact statement has gone through its review period and the public comment period there were a number of comments, some in opposition from outside the interest to killing of caribou in any fashion, whether they were salvaged or not. And as a result, the whole issue is now kind of mired down in the usual bio-political climate that tends to permeate Washington, and no decision has been made yet.

35

36 The Refuge had hoped to take action on this prior to this year's breeding season because after this year's breeding season obviously there will be a large number of additional caribou that will have to be dealt with one way or the other. But Dan Rice said at this point it doesn't look like they're willing to get anything done this spring because of the hold-up at the Washington level, and they still hope that they'll be able to take some action in 1995, but most likely it will be late in the summer. And that's all we have from Alaska Maritime.

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47 CHAIRMAN OLSEN: If I may, for one minute. When I look at this situation the first thing that comes to my mind is another Hagemeister disaster. As we have bounced it around our

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council here, I know that we were in support of transporting these caribou to the two places, number one was Deer Island, just out of sight of King Cove, and Unga Island, off -- out of sight of Sand Point. This in fact would give another subsistence resource to the communities that are close by. By having these animals transplanted to these islands it definitely would have a community close by that would hunt them and keep them in check so that they would not over-populate and overgraze once again. That was our hopes and our thoughts behind our basic recommendation. But this, here again, is the first I've heard since it had come to the table.

12

13 Does anybody else maybe have any comment on these caribou transplants from Adak or whatever their future may be?
14 Thank you.

16

17 I guess the next item we have is the Izembek National Wildlife Refuge, which is also on the peninsula.

19

20 MR. WILLIS: The Izembek Refuge had one issue of interest to the council which was the Southern Alaska Peninsula caribou herd. The season was closed on those animals because they had dropped to such low numbers, and I reported to you last -- at the last meeting, I think, that last year's fall, the post calving counts was encouraging. We felt like maybe the decline had bottomed out and that hopefully, barring any really severe winters, that the caribou would start back up again in the very near future.

29

30 And the refuge has flown a winter survey just last week and counted a total of 1,806 animals. That is the population estimate based on their count. And this is very close to the post-calving count from last year, so I see that as encouraging. Also, if we continue to have an average winter and a good breeding season this spring, we should see the population come back up some at the next counting period, which would be late summer, I guess. And that was all that I have from Izembek.

39

40 CHAIRMAN OLSEN: Thank you. Just a thought here. Boy, I see Sitkalidak Island out there and, boy, caribou would do very good out there.

43

44 MR. HAAKANSON: Mr. Chairman, we talked about it and were real interested to go back and try and get some there, but we want to make sure to check with Fish & Game because we found out there might be disease and it might hurt the deer population, so we decided against it unless they can come up with a guarantee they're not going to get our deer sick and

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take some away.

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3 CHAIRMAN OLSEN: That's certainly a real valid point,
which I agree with. How that can be achieved right now I don't
have the answer for you. I certainly do feel that there is
6 other displacement other than those that have been talked about
7 for caribou.

8

9 Next, we have the Kodiak Wildlife Refuge. Here we have
10 Jay Bellinger and Robert Stovall. Would you, please, give us
11 your staff reports?

12

13 MR. BELLINGER: As Mark said, I'm Jay Bellinger, the
14 refuge manager for Kodiak National Wildlife Refuge. What I'd
15 like to do is just talk in general terms, as I'm a generalist,
16 and then I'll have Robert come and talk about deer, because
17 he's been doing quite a bit of work with our deer here on
18 Kodiak. Anything else you can think of -- he's also a
19 sea otter person.

20

21 But last time -- I was looking back in the minutes and
22 what I did is I went over a brief review of the main work that
23 was going on on the refuge in regard to fish and game and
24 commercial users. I could go over that same thing again, but
25 you all have been briefed on that. I could tell you any
26 updates on these different items, if you'd like to do it that
27 way, and then if the -- if everyone has got a copy of the last
28 meeting's minutes and they have any questions on some of these,
29 could try and answer them.

30

31 How do you want to go at it?

32

33 CHAIRMAN OLSEN: What's the wish of the council?

34

35 MR. EVERITT: Has anything changed since we met last
36 spring, Mr. Bellinger?

37

38 MR. BELLINGER: Is that the way?

39

40 CHAIRMAN OLSEN: Yeah, maybe if you would like to just
41 touch a little bit on the high points, and then if there's any
42 other questions you can go into detail from there.

43

44 MR. BELLINGER: Okay. All right. In regard to work
45 going on with brown bear, a few years ago there was a proposal
46 for subsistence brown bear hunting on Kodiak, and we and Craig
47 thought it was going to go through the State system, but it
48 didn't. But anyway, we did -- because we felt that we'd
49 probably be facing a subsistence brown bear harvest we needed

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to get information from parts of the refuge that we didn't have information, and we were able to get money out of Subsistence to start some brown bear population studies in cooperation with Akhiok and Kaguyak down on the Aliulik Peninsula on the Southeast part of Kodiak Island. We're still continuing those studies. Subsistence money ran out, but we've been able to get grant money to continue that work to try and get a handle on the bear population down in that part of the refuge. Because we felt it was close to Akhiok, Kaguyak, we didn't have much information.

11

12 We're also doing some work with brown bear on the Spiridon Peninsula in relation to the red salmon fisheries enhancement project on Spiridon Lake, as far as trying to determine what, if any, impact that project has got on the brown bear over there. And, again, that's funded by the Aquaculture Association, so, really, we don't have bucks in our budget to work on brown bear, but other -- we're getting money from other sources.

20

21 It looked like we were going to have to do a study on the Karluk drainage because there was a lot of impetus from the public on -- they felt that we shouldn't allow hunting on brown bear that were in that bear viewing program. So, it looked like we were going to have to determine, first of all, whether or not there was more mortality to sport hunting from bears in that they're habituated through that bear viewing program than bears that aren't, and at the same time what the home ranges were of those bears in that bear viewing program.

30

31 Well, since that time, the appeal by Koniag and Uyak also laid out the -- their feeling that we didn't follow procedure in defining local resident under 1307 of ANILCA, so our regional director decided to cancel the bear viewing program. So, the study is canceled, so we're back where we used to be on the Karluk drainage, and I don't know what will happen next on that story. But one thing we have to do now, when we did the original assessment of bear viewing in that type of a situation, we were -- we said that our program will be different than the rest of the state in regard to bear viewing programs, and ours will be on a hunted population of brown bear.

43

44 So, we didn't include in our environmental assessment what would be the results of a closure of bear hunting because of the bear viewing program. And now, after the pressure that went through before this all changed, I'm saying we have to do a new environmental assessment, and part of that assessment will be that the bears affected by the bear viewing program are

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protected from hunting. So, you've got social and economic impacts from closure to bear hunting. Anyway, I don't know whether we'll have a bear viewing program of that kind again or not on the refuge. I do know that we're going to do an assessment that will be different than the first one. And I think that anyone that thinks about establishing a wildlife viewing program where the public gets up close and personal with the wildlife, you better think that you might be facing pressure to close that area to hunting later on.

10

11 And so, there's two different kinds of wildlife viewing. I know Old Harbor is talking about wildlife life viewing at a distance, you know, and I think that's what I would encourage on the refuge, 'cause hunting is still a legitimate use of brown bear, and if you're not habituating the people through your -- or the bears -- you'll never habituate people, the bears, but if you're not habituating the bears through your wildlife viewing then there shouldn't be any reason to have to close hunting.

20

21 But, anyway, that's one thing that happened since our last meeting.

23

24 CHAIRMAN OLSEN: Excuse me, Jay. Pertaining to this here, if I could interrupt you just for one minute. There's a couple small questions, I wonder if you might be able to answer on the brown bear. Do you know what the percentage is between bear population and annual harvest of bear?

29

30 MR. BELLINGER: Well, the state of the art used to be that you shouldn't lose over 10 percent annually on your bear population to coastal brown bear. That's been changing amongst the bear experts, and we have been running, we thought, at about six percent, and that was pretty well accepted. Now, down in Southeast Alaska, there's some of the biologists saying they don't think that you should harvest more than three or four percent annually -- well, not harvest, lose out of your population to maintain population of coastal brownies, though all those brown bear experts are in the process of getting their heads together and deciding what is the correct percent.

41

42 One thing that we did find out, now that we've been getting some money to go out and actually go out and find out how many bears are out there, we were harvesting some parts of the island too heavy, and as high as maybe over eight percent with the sport harvest and the DLP kill and the natural mortality. We're also finding out more about natural mortality than anybody ever knew before with more collared bears. But we 49 that's why there was a change through the State Game Board

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272-7515

on the harvest in some areas. I believe they ended up approving that with the guided hunters that there will be a minimum skull size. And what that will do, that minimum skull size that they set up will pretty well protect breeding females, which are the main part of your population that you've got to watch. And then they can't apply it on the non-guided hunters because how can you penalize them? Where with the guides now, if they shoot a bear that's under this limit, they'll have one less tag the next season. So, there would be no direct punishment, and it's just in a few places that we've detected this, but there's lots of places where we haven't gone out with these intensive surveys yet. We haven't done it up this east side, we haven't done it on Spiridon Peninsula. There's other places that we really haven't looked at. But that's one thing that changed this last year. And

16

CHAIRMAN OLSEN: One more thing here that you talked about, the viewing program. I just wondered what kind of viewing program is it? I know that the refuge down there, a lot of it is encompassed with private lands, too. So, how is this is going to operate? My reason for asking is on the elk population on Afognak we were denied elk as subsistence. However, the majority of Afognak is on private land ownership, yet we did not have the right to manage it, but yet the State had the right to give permits to anybody from Timbuktu to come hunt elk on lands the State didn't even own. That's a tough one for me to swallow. So, I kind of am wondering how this bear viewing, how would you project it as far as the refuge in the Karluk area or other areas that private land ownership is encompassed also.

31

MR. BELLINGER: Well, as far as the refuge is concerned, the resources, we don't have a say -- that much say on adjacent private lands unless you can prove the nexus where what's going on on those adjacent lands is hurting resources on the Federal property. So, you know, we've got a part of ANCSA that says there's some kind of control still there, but nothing has ever been done with that since it was passed at 22(g) that we've talked about before. But

40

CHAIRMAN OLSEN: Maybe I can clarify just a

42

MR. BELLINGER: You know, I -- yeah, it would be tough

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CHAIRMAN OLSEN: I guess the point I'm trying to look at is who will run the viewing program? Can that be local land owners or will this be regulated through one of the departments? What is your feeling on that?

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1
2 MR. BELLINGER: On the refuge or on private land? On
3 the refuge?

4
5 CHAIRMAN OLSEN: Refuge or private land, is there any
6 indicators as to would this be something our local people could
7 do to enhance jobs?

8
9 MR. BELLINGER: Sure. It's got to be done in a way
10 that's compatible with refuge purposes on the refuge, but
11 ANILCA exempted sport hunting and fishing, guiding from the
12 most affected Native corporation or local resident preference.
13 But there's a preference on the refuges for visitor services
14 other than sport hunting and fishing and guiding. So something
15 like wildlife viewing -- see, that's where they said -- the
16 lawyers said that we should have -- but it says local residents
17 will be defined by rule, and that's a step we didn't take, and
18 that's what has to be done. And it needs to be done for the
19 whole state, because there may be, you know, other refuges
20 where Native corporations or local residents want to do a
21 visitors service where we need to have that defined by rule.
22 So, that's one of the things that's being done now -- worked on
23 now so that we have it next time. But there is a preference
24 for locals on visitor services other than sport hunting and
25 fishing, guiding. So I'd say, yes, there is potential for
26 economic use there.

27
28 CHAIRMAN OLSEN: No doubt this will come up later in
29 the agenda, as we look at the new proposal that was just given
30 us at this last meeting, but certainly I can wait till then
31 to discuss it further. Thank you.

32
33 MR. BELLINGER: All right. You've got to watch it, I
34 can get way off on a tangent. Okay. The Sockeye Enhancement
35 Project on Spiridon Lake, there's been a new wrinkle in that
36 one. We found out this winter that the State had taken fry
37 from a different system than what was in the environmental
38 assessment for the original project that we'd approved, and
39 there's some differences in the sockeye in that system compared
40 to the system that was assessed in the environmental assessment
41 in the Spiridon project, and we've done an analysis on it.
42 We've boosted it up to the regional office for the regional
43 fisheries folks to look at. There's some differences in
44 season and occurrence and things like this, this other stock.
45 And so I don't know what the status is right now on that
46 Spiridon Enhancement Project.

47
48 Worse case scenario in regard to that system in
49 enhancement is that we'll miss one year class if the decision
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is that there's enough difference in the -- potentially in those fish that we feel we shouldn't put them in there and endanger natural stocks in Spiridon. And best case scenario is the experts -- the disease experts will say that they don't feel there's a danger and we can go ahead, and so that year glass will be put in there. If the disease experts say that there is a risk to natural stocks, they probably won't be able to -- they'll have to put those fish somewhere else, but that should have been worked over before they ever took the eggs for the fry.

11

12 CHAIRMAN OLSEN: So, these have not developed yet, they've only been

14

15 MR. BELLINGER: They're in the hatchery.

16

17 CHAIRMAN OLSEN: They're in the hatchery, but no releases as of yet?

19

20 MR. BELLINGER: No. But that's the current situation on Spiridon Enhancement Project. Otherwise the project went pretty well. There was a good harvest there. The State has proposed some changes, and that was mainly recommended by the fishermen as far as a barrier net and things like this that would make the harvest go better. This next year we ran those changes past the experts that were involved in that original assessment, and they said okay, we could do that on an experimental basis. So they had a good harvest, it went pretty well. It was a little hectic in there with the boats. We're going to do some changes and hopefully it will make it a little better for the fishermen, but that's it on the Spiridon project.

33

34 Any questions on that one?

35

36 Aerial surveys that we do in cooperation with COMFish. Mainly what we do is we work together, and neither one of us has got enough money to analyze all the systems to make sure we're getting the spawners up there that we need, and we mainly fill in the gaps where Fish & Game doesn't have the money to do the surveys. There's lots of systems. Neither agency can afford a weir, and so they do aerial stream surveys with an airplane, and we do a -- especially a lot of the silver salmon work. And our counters, they switch off with the State so that everybody feels secure that everybody is counting the same and everybody shares figures. The only thing that we came up with, the last two years there's been a low return of chums in the Surgeon. And we're going to be watching that real close this year, and if it's low again, you know, we're going to ask for

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3 somebody to look into it, because you're talking a 40 to 80,000
 2 return, down to a one to 10,000 return, and so we may have some
 3 hum problems around here, too, and not just in Western Alaska.

4
 5 CHAIRMAN OLSEN: Do you work closely with the State on
 6 these different streams or are these only the streams under the
 7 refuge?

8
 9 MR. BELLINGER: These are just streams on the refuge
 10 that we help on, but we coordinate and we fill in the gaps
 11 where the State doesn't have enough money to cover those
 12 streams or cover them for those species. Silver salmon are
 13 real important to us from the standpoint not only because
 14 they're one of the Native fish, but they're a late season boost
 15 protein for the eagles and the bears. And so -- and plus,
 16 you know, everyone likes to eat silvers. So -- I mean, people,
 17 do. But it's just on the refuge and it's just on streams that
 18 the State doesn't have the money to cover, and we've been able
 19 to get a little money to do some stream surveys to help.

20
 21 MR. EVERITT: With the increased commercialization of
 22 sport fishing do you see anything that we, as a board, should
 23 know that might be on the horizon that might affect the
 24 subsistence user on any of those streams as far as our access
 25 that we should be thinking of that somebody may want to stop
 26 the subsistence user, stop usage that you can inform us on?

27
 28 MR. BELLINGER: Excellent question. Excellent
 29 question. It's almost like we talked about this ahead of time,
 30 but we didn't. But the one new thing I wanted to talk about is
 31 silver management planning. And we've been three years now.
 32 What started it is way back -- I don't know how many years ago,
 33 when I first came here we were starting to get interest in
 34 commercial sport fish guiding, and there was some problems in
 35 Western Alaska that had already blown up between subsistence
 36 users, sport fish guides, unguided sport fishermen, and we said
 37 we don't want that to happen in Kodiak. So what we did is we
 38 sat down and we looked at the systems that we felt would have
 39 good enough resources to attract sport fish guides, and we
 40 tried to decide how many we should allow out there where we
 41 wouldn't have conflicts, and we came up with an upper limit of
 42 22. And we've maintained that all these years.

43
 44 And -- but our use has increased, even though we've
 45 maintained it, because we've gradually had people that weren't
 46 using the permits get out and people that were using them get
 47 out. Well, anyway, Togiak Refuge used a different system, and
 48 we've been just using a lottery -- an annual lottery to fill
 49 the gaps. If we have somebody go out, we advertise, we put out
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the information. Anybody that's interested, they just apply, and we throw their names in the hat and draw a new person. And we also limited it to no more than two guides per system for overnight use, and a guide couldn't have over two systems for overnight use. And there was no restrictions on unguided public, either subsistence or sport fishing.

7
8 Well, a few years ago the decision was made that everybody is going to use this prospectus technique to select sport fish guides on refuges in Alaska, like Togiak's using out in Western Alaska. And I said, well, that's fine, but we've got to know -- by that what you do is you figure out how many people can be on that river in relation to your other resources and in relation to each other, and then you take the part that's sport fish guides and you allocate that; you advertise and they bid on it. Well, I said we need to know how much use we're getting now, and we need to know what effect that use is having on what other wildlife resources and what the public thinks about how many people are out there.

20
21 Anyway, the last three years we've been gathering this information on the river systems. We've got good information on the Ayakulik, we've got some information on Dog Salmon, we've got some information on Uganik so far.

25
26 And this will potentially -- well, subsistence is a factor, because, as most of you know, on Kodiak Island once you get away from the road system it's legal to subsistence fish in fresh water. We hadn't had too much, I think a little bit here in Midway Bay, but it wasn't on the refuge. We hadn't had much subsistence fishing in fresh water. Well, two years ago for the first time we had people fly into the Ayakulik River and gillnet king salmon. And the guys that did it mainly did it to show the Lower 48ers that badmouthed them for being out there pole and line fishermen fishing that not only could they be here pole and line fishing, they could use a net. Anyway, they've -- so we have documented some gillnetting in fresh water. So there is a need to designate part of those use days in this river management planning for subsistence.

40
41 Another thing that's changed in the last two years is that pole and line is legal gear for subsistence. So when you've got your local residents -- your rural residents out here with a pole and line, they could be subsistence fishing, they could be sport fishing. So, anyway, in this river management planning once we get to the point we're going to have a meeting with inhouse the 24th of this month to look at what we've gathered, try and decide whether we've got to gather more field information, and if we don't, then we'll start the

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272-7515

process of doing the plan, and then is when we'll have the public involvement, you know, and we'll be out in the villages, the same as on the road system, laying this all out, and, you know, getting your opinion and your ideas on how we're going to do this, because Kodiak is different than Western Alaska. We've got a real high percent of our sport fishermen that are unguided, and so you've got guided and you've got unguided sport fishermen. We've got subsistence use. Now a big one that's really increasing fast is wildlife viewing. They want to be in the same places and where the salmon are and where the bears are and the eagles are and the fishermen are.

12

13 And so it's not going to be easy trying to determine, first of all, you know, how many people should be out there. But then how many of each type, and if the decision is that we've reached the upper limit on a river at a place and a time, then what you're talking about is a permitting system for the unguided public, just like on the national parks there's a lot of people feel that in some rivers that we've reached that or surpassed it on Kodiak. It's really been increasing -- you probably haven't -- I don't know how much you noticed it over there, but the Ayakulik River has been going up, Karluk's gone down, but we don't have to worry about the Karluk yet. Uganik has been increasing. That's the main ones that have been increasing on the refuge. And there's a lot of people -- well, we've already gone past the point where some people that used to fish 'em won't go there anymore.

28

29 So that's another thing about this river planning, you've got to pick a snapshot in time and you're going to say, okay, this is the level of quality we're going to maintain on Kodiak. We're not going to let it be a Russian River, you know, or elbow to elbow. We're not going to allow -- we're not going to have a Buskin River situation out there in the remote areas. And because the longer you wait as these things increase, you end up with the people out there that will tolerate more people, if it's a people -- if it's a human/human conflict as the problem and not a human wildlife conflict.

39

40 So, this is something we're working on right now. We're right on the -- I don't think we're going to be to the point, you know, this year to do the public involvement, but next winter we'll be doing it. And so, you know, probably -- you know, we'll be working with the villages and we'll work -- you know, involve the regional subsistence council from a subsistence standpoint on this. So, you asked the right question for my new thing I was going to bring up.

48

49 CHAIRMAN OLSEN: I guess I'm a little ignorant or
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272-7515

confused; which one it is I don't know, where I don't understand the difference in the powers of regulation between State land and Federal refuge lands. I guess to point it out, the State claims jurisdiction over navigable waters, of course, which we know if a piece of paper would float on it they'd claim it's navigable waters. How do you inject jurisdiction of regulation from the Federal side, even though it's within a refuge? Is there a difference?

9

10 MR. BELLINGER: Right. There is. On the pre-statehood
refuges.

12

13 CHAIRMAN OLSEN: Pre-state refuges.

14

15 MR. BELLINGER: Pre-statehood refuges we claim Federal
reserve water rights. So we also claim we have control over
waters, whether they're navigable or not.

18

19 MR. EVERITT: And Kodiak was pre-state, wasn't it?

20

21 MR. BELLINGER: Uh-huh (affirmative).

22

23 MR. DIRKS: So, does that mean that all around Kodiak
land or

25

26 CHAIRMAN OLSEN: Just refuge lands.

27

28 MR. BELLINGER: Kodiak Refuge.

29

30 MR. DIRKS: Oh, on refuge lands.

31

32 CHAIRMAN OLSEN: So, the subsistence regulations would
pertain to the Federal law on refuge lands?

34

35 MR. BELLINGER: Which include waters on the Kodiak
Refuge.

37

38 CHAIRMAN OLSEN: Which include finfish or fish on the
Refuge. That's good to know. That's the first understanding
I've had of that. Thank you, Jay.

41

42 MR. BELLINGER: Okay. Let me see if there's anything
else here. You've probably heard all you want to hear from me,
you want to hear from Robert.

45

46 I guess we all know that we probably have good things
to report. Now I'm working together with the Native
Corporations on the Exxon Valdez oil money and reacquiring the
lands. It looks real good for Old Harbor and Akhiok/Kaguyak

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and partially good for Koniag. You know, I'm not sure if they've reached an agreement with Koniag yet, what's going on, But the last I heard on Koniag they were looking at including everything pretty much except the main stem Sturgeon and the Karluk drainages.

6

7 CHAIRMAN OLSEN: So, in fact if these lands were
8 purchased into the refuge, it would not fall into the pre-state
9 jurisdiction of navigable waters then? Is that a question yet
10 be answered, I suppose, huh?

11

12 MR. BELLINGER: I'd say yes. Prove me

13

14 CHAIRMAN OLSEN: Yes, what? Oh.

15

16 MR. BELLINGER: wrong. I'm sure other people
17 would say no. But we're saying yes, the State's saying no on
18 all the waters anyway.

19

20 CHAIRMAN OLSEN: Right.

21

22 MR. BELLINGER: And I don't know, I think there's still
23 or litigation going on, isn't there?

24

25 MR. WILLIS: Yeah. It will be held up till the appeal
26 the Katie John decision.

27

28 MR. BELLINGER: Right. But that's an interesting
29 question. I've thought about it.

30

31 CHAIRMAN OLSEN: Right. And you did catch my attention
32 when you said pre-state refuge lands, and I just wondered what
33 the impact was from the purchase of land that will be returned
34 refuge status, then are we going to have another battle over
35 jurisdiction?

36

37 MR. BELLINGER: See, the Native corporations own the
38 land under the water because it was Federal when they acquired
39 through ANCSA. So, now if we owned the land all the way
40 around the land under it comes back to the refuge.

41

42 CHAIRMAN OLSEN: So we can say we're sifting the land,
43 right?

44

45 MR. BELLINGER: I'm not going to answer that, but,
46 ah, it will be interesting. I guess that's about it, unless
47 there's any questions.

48

49 MR. EVERITT: It's really important, I think, that at

50

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these meetings we keep up on this because I really want this subsistence board to have some input, if we can, on some of those decisions that are being made that might affect us as subsistence users.

5

6 CHAIRMAN OLSEN: I feel there is real opportunity in the future to add to a diversified income such as we talked, bird viewing or even fishing tours and guides on private lands. That's -- I'm sure is going to be a part of the new information which we have just received -- which we are petitioning to have private lands accepted under regulation and under subsistence as on Federal public lands. But that is just new and it will be discussed later. Thank you, Jay. Very interesting.

15

16 MR. PETERSON: Mr. Chair, I have a few questions for Jay Bellinger?

18

19 CHAIRMAN OLSEN: Certainly. I'm sorry.

20

21 MR. PETERSON: Jay, I didn't quite understand what you said when you said rod and reel is considered a subsistence tool; is that in Old Harbor or is that in ice fishing up north somewhere?

25

26 MR. BELLINGER: No, it's Federal lands right now. So, once you got on the refuge -- once you got on the refuge it would be legal gear. See, the State doesn't recognize rod and reel as legal gear for subsistence, but the Federal Board designated that rod and reel was legal here for subsistence fishing on Federal lands and Federal property.

32

33 CHAIRMAN OLSEN: What will constitute the difference between sport fishing and subsistence fishing on Federal lands, anything?

36

37 MR. BELLINGER: Well, it's pretty interesting when you look at the regulations -- the Federal regulations. If there is a subsistence permit of some kind in the area, like we have in Kodiak, then the State permit, then the bag limit Federally is the same as a subsistence permit bag limit. If there is not unless this has changed, Moses, and you can correct me if it's changed, but the way it was last year, if there's not an existing subsistence permit for fishing in the local area, then the subsistence pole and line bag limit is the same as sport bag limit. So, in Kodiak it would be the same as your State subsistence salmon permit bag limit; 25 per member of the household and then they could go and get another permit.

49

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1 CHAIRMAN OLSEN: I guess the point I was looking at, if
 2 am out there fishing with a rod and reel and a State's man
 3 comes along looking for my sports fishing license, what
 4 protects me as a subsistence user then?

5
 6 MR. BELLINGER: You tell him you are a subsistence
 7 fisherman.

8
 9 MR. CHRISTENSEN: Can you just use a -- can you just
 10 have a subsistence permit then and -- or do you also have to
 11 have a State sport fishing license?

12
 13 MR. BELLINGER: The strange thing about this is I don't
 14 think the State subsistence permit applies in regard to pole
 15 and line for subsistence, even though the bag limit does,
 16 right?

17
 18 MS. DETWILER: I might be able to add a little bit onto
 19 that. That's exactly right what Jay was saying, that there
 20 isn't -- Federal regulations require a State permit, but the
 21 State doesn't have a permit or a State license for subsistence
 22 fishing, therefore we don't -- and we also don't have one, a
 23 Federal license for subsistence taking. So, basically, you can
 24 go out and take -- just use a rod and reel to take fish for
 25 subsistence without a State fishing license. However, that's
 26 one of the issues that is on the agenda, sort of indirectly
 27 later on for your meeting. The State has written a letter to
 28 the general board asking them to acquire a State sport fishing
 29 license or issue a Federal subsistence fishing license for
 30 using rod and reel. So that's one of the issues that the Board
 31 is going to have to address. They did want to get the regional
 32 council's comments on that.

33
 34 CHAIRMAN OLSEN: I am aware -- I wasn't aware of a
 35 Federal subsistence permit as of yet, but I know in the past
 36 there always has been a State permit.

37
 38 MR. BELLINGER: That's covers the gillnetting but not
 39 pole and line subsistence fishing.

40
 41 MS. DETWILER: See,

42
 43 CHAIRMAN OLSEN: So we still have to have a State
 44 subsistence permit, even though we're fishing on Federal land?

45
 46 MR. BELLINGER: Not with pole and line.

47
 48 CHAIRMAN OLSEN: Not with pole and line, but we still
 49 have to have it with a net even if we are on Federal lands?

50

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1
2 MR. BELLINGER: Right.
3
4 CHAIRMAN OLSEN: Man, we're getting a lot of twists to
the line here.
6
7 MR. BELLINGER: Interesting.
8
9 CHAIRMAN OLSEN: Thank you, Jay.
10
11 MR. STOVALL: Robert Stovall, Kodiak Refuge's
subsistence wildlife biologist. I'm going to talk briefly
about what type of deer surveys I've been doing in the past
three years, and I'll probably touch on the sea otter surveys I
did last year.
16
17 In the last three years we've done deer ground counts,
aerial surveys. This year I investigated -- in mortality
surveys, this year I investigated doing pellet group counts in
some areas similar to what the State of Alaska does in
Southeast for their deer surveys. In the three years I've been
doing the mortality surveys, which is the only survey we've
done continuously, the numbers indicate what most everyone in
this building knows who are deer hunters, is that the winter
weather influences the deer numbers and availability. In the
last two winters on Kodiak Island have been mild or milder than
the first winter in '91, '92 when I was here. That was a
little bit more severe, and we found more deer carcasses in
that first year. In the winter of '92 and '93 we had found
practically no carcasses, and it was a very mild winter. And
in '93, '94 we found a few more carcasses, more than zero but
less than 20 or 22 total, and that compares to the 218 we found
the first year.
34
35 Last year we did pellet group counts on Olga Bay to
investigate the technique that the State of Alaska uses to do
deer surveys and to determine a population trend data. And
we'll probably try to expand into some other areas on the
Refuge this year with that technique. I can't really tell you
anything in conclusion about it because this is the first year
it was done.
42
43 Also we've been investigating other ways of doing deer
counts aerially, using forward looking thermal infrared cameras
to count deer images flying over specific areas, and flying
with the Coast Guard's equipment and their time frames. And
that has a little bit of promise, showing some promise in doing
the surveys when the weather conditions permit good images to
show up on the FLIR video. And that's an ongoing evaluation of
50

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that technology.

2

3 Last year I worked with this for clarification
 4 purposes. The US Fish & Wildlife Service has jurisdiction over
 5 sea otters, walrus and polar bears, and they are in the process
 6 of working with various commissions and refuges, and they also
 7 keep track with the harvest surveys. Those particular species,
 8 seals, sea lions, are under the jurisdiction of the National
 9 Marine Fisheries Service also, and they do most of that survey
 10 work for those species.

11

12 Last year I participated in a sea otter survey around
 13 all of Kodiak Island waters, and the final report is being
 14 produced by the Marine Mammals Management Division in
 15 Anchorage, Fish & Wildlife Service. I was one of two aerial
 16 observers doing the aerial surveys of sea otters, and counted a
 17 little under a thousand sea otters during the surveys, and that
 18 number will -- once they determine a total count estimate based
 19 on the numbers that were counted, it will probably most likely
 20 be higher than that. The survey -- the sea otter survey that
 21 was flown historic -- the historical areas still had sea otter
 22 populations that didn't -- haven't shown much decline. Areas
 23 where there was not sea otters or a very small number still
 24 appeared to have very small numbers of sea otters. And most --
 25 there's a likelihood that the survey will be done again in the
 26 very near future, either this year or two years from now -- two
 27 or three years from now. I think that's all I have to offer.

28

29 Any questions?

30

31 MR. EVERITT: Back to the deer, Robert. By your
 32 surveys we haven't had a very big mortality rate last year, and
 33 it looks like we're headed that way this year, and then the
 34 other one that we got was the survey that you did of deer
 35 hunters. And once again out of the 125 deer hunters,
 36 87 percent or 84 of them were other or non-resident

37

38 MR. STOVALL: Right.

39

40 MR. EVERITT: hunters?

41

42 MR. STOVALL: Were other Alaska hunters, not Kodiak
 43 island hunters.

44

45 MR. EVERITT: And 21 or 17 percent were out of state
 46 hunters, and only 16 percent or 20 of the hunters during that
 47 survey were local residents. And the reason I'm asking that is
 48 to add to our case that the local hunters are not impacting the
 49 deer as non-local hunters are.

50

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1
2 MR. STOVALL: Right. When you're looking at the
3 totals, 16 percent versus 67 and 17 percent more or less added
4 together, you still have about an 80/20 off island versus on
5 island hunters of deer. And they're harvesting -- the harvest
6 reports that the State does also indicates the same numbers.
7 So, it's not a -- that shouldn't come as a surprise. It comes
8 to a surprise to those who feel the deer population is being
9 affected by hunting, and it's very difficult for that to happen
10 on this island. There's a very large population, and with mild
11 winters -- the occasional mild winters that we've been having,
12 the deer population has a tendency to increase to large
13 numbers. If I remember correctly, this occurred in the early
14 1980s -- in the early '80s there was also the same type of high
15 growth rate, and then with five years of severe winters the
16 population was knocked back down. But during that time the
17 amount of hunting has increased or stayed the same, for the
18 most part. In fact, in the last three years the amount of
19 hunting for deer has actually decreased, according to State
20 Fish & Game records. There's a lot of reasons for that, but
21 primarily what their numbers show is that the population isn't
22 being affected by hunting.

23

24 MR. EVERITT: Robert, would you say -- this survey was
25 done between November 2 and 18. Would you call this the peak
26 of the deer hunting season when you were out there that there
27 wasn't another time where numbers would have been higher or
28 different, but would you say that this was probably the peak of
29 when people are on the island hunting?

30

31 MR. STOVALL: Well, I would say, looking at the ADF&G
32 harvest statistics that I get every year, November is the
33 highest deer take month. But that's subject to change with the
34 weather. December is very close -- is a very close second in
35 many, many years. I would say that for this particular hunting
36 season it was -- November was a rough month to hunt in, but
37 December was a lot easier because a lot of the deer were
38 brought down. So this probably was a little bit of an
39 increased harvest this year by the mere fact there were more
40 deer easily available, which is primarily what the subsistence
41 hunting deals with is easily -- easy to harvest deer; deer
42 closer to the villages and then deer closer to ways to get a
43 hold of them.

44

45 MR. EVERITT: The other thing, access, you did this by
46 water mostly? And would you say most of the deer hunters are
47 accessing the hunting areas by water, they're -- instead of
48 landing on lakes most of the hunters are around our coasts for
49 their access?

50

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1
2 MR. STOVALL: Yeah. Most of the coastal -- most of the
3 hunting activity is along the coastline, within three miles of
4 it. Once again, that's subject to change with the weather. In
5 the very mild years, mild falls that -- or winters, early
6 winters, a lot of the deer will stay up in higher elevations
7 further from the coast, a little bit harder hunting. There
8 might be a reason why there's less success or a less amount of
9 deer harvested is because it was a little harder to get to
10 them. It wasn't because there was less deer.

11
12 MR. EVERITT: Thank you.

13
14 CHAIRMAN OLSEN: Yes, Robert. A couple of, hopefully,
15 easy ones. Is this an island-wide survey or is this just on
16 refuge lands that your department does?

17
18 MR. STOVALL: Okay. Our refuge, this harvest survey
19 that we do is done on the west side of the island, between
20 Wnekoda Bay and Larsen Bay, and all the bays in between those
21 two bays. That includes all of Uyak, all of Uganik Bays, and
22 all around Uganik Island.

23
24 CHAIRMAN OLSEN: Would you say that the State survey
25 and the deer survey are consistent?

26
27 MR. STOVALL: When you look at the numbers, I would say
28 yes, they are consistent, but what the harvest statistics the
29 State gets back is very similar to the harvest statistics that
30 have here in both the hunter residents, the number of deer
31 taken per hunter and -- let's see here, number of days of
32 field. We add of those statistics -- they're not really
33 statistics, we keep track of how many deer are being observed
34 in the field. That's just a rough indicator of availability.
35 The State has a -- and Jay will correct me, but the State
36 usually does something similar to what we did here with this
37 harvest survey on the east side, from here to Olga Bay, I
38 guess, they don't contact as many people as we do.

39
40 CHAIRMAN OLSEN: I guess the next part of my question
41 here has really a lot to do with the subsistence or the sports
42 hunters themselves. I find myself in a kind of whirlwind of
43 decision when so much of all the departments rely on reporting
44 for their statistics. However, being born and raised here, I
45 know that many, many of our deer go unreported for the simple
46 fact we're not going to jeopardize ourselves to any liability
47 or be prosecuted, so therefore go as unreported. Fine and well
48 long as the stocks provide that position.

49
50

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1 However, my concern is of the future, with so many
 2 pressures coming from so many user groups, let's say we go into
 3 an allocation for the sports hunters for the subsistence users.
 4 This could very well depend on the subsistence users. Would
 5 their proportion be so much lower because they report so much
 6 fewer? So, it has several different twists to it.

7
 8 And I just wonder, do you people of Old Harbor feel
 9 what you report all your deer? I mean I don't mean to put you
 10 in a spot, but can you realize what I'm trying to -- my train
 11 of thought? Rick.

12
 13 MR. BURNS: Yeah, just in general terms, there's a lot
 14 of take that goes unreported.

15
 16 CHAIRMAN OLSEN: And these are the kind of things I
 17 always really verbalize at our meetings, that it is very unfair
 18 because of the pros and cons on this issue within itself. And
 19 I realize it goes on and on and on. I'm not trying to put
 20 anybody in jeopardy to criminalize themselves, by any means,
 21 that's not my point. But we do need some kind of a recording
 22 system to protect our future uses as well, but how we're going
 23 to get over that hurdle, I don't know as of yet.

24
 25 One second, Jay. Robert.

26
 27 MR. STOVALL: It's when you have the opportunity to
 28 report, you report what you feel you should report. None of
 29 these harvest surveys has everybody contacted. The State
 30 doesn't contact everybody, they don't try to get harvest
 31 surveys back from all of the hunters that are -- who hunt an
 32 animal, and we don't contact everybody when we do our deer
 33 hunter checks. So, it's an imperfect system from the start.
 34 Okay. And then compliance with that in a perfect system only
 35 helps it become less imperfect.

36
 37 Okay. The mortality surveys, the pellet group counts,
 38 aerial surveys that we do with deer provides additional
 39 information so that when the time comes to do an allocation of
 40 some sort you have not only just harvest figures to work with
 41 but you also have hard numbers of population trend and location
 42 to work with. That's primarily why I do my deer survey work.
 43 And I'm trying to develop some kind of population trend or
 44 indexing system for Sitka blacktail deer on this island so that
 45 when the time comes for real numbers to be told through where
 46 the populations are and what they are, there will be some type
 47 of background information to fall back on, and that's my
 48 primary purpose.

49
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1 CHAIRMAN OLSEN: When I speak of this I guess I'm
 2 trying to incorporate it with information as to what we've been
 3 working off of for so long, and that's designated hunter.
 4 Sometimes I feel like we're just -- what is the need for it
 5 because it takes care of it within itself. In other words, to
 6 be legal, as described under the designated hunter, today the
 7 receiver of the meat has to be licensed as well as the person
 8 on the field should be licensed and tagged as well. Now, when
 9 I talk to the people of Akhiok, they do not have a place to get
 10 their hunting license. What makes me think that they're going
 11 to fly to Kodiak to get a license to go shoot it, let alone get
 12 a license for the person that they're going to give it to?
 13 It's all for naught. So sometimes I just wonder if I'm
 14 spending my time wisely on something such as a designated
 15 hunter when we know it's kind of a self-rule anyway.

16

17 Jay, yes.

18

19 MR. BELLINGER: Yeah, I'd just like to carry that one
 20 step further. If you get designated hunter regulations
 21 federally, and a Federal permit that lays it out, there'd be
 22 absolutely no reason for people not to report what they're
 23 taking because it won't be illegal except what they take
 24 outside of the seasons. And so during the main time of the
 25 year when people want to hunt deer, when it's cold and the
 26 ponds are raised and it's the time to -- the best time to get
 27 the meat, and the deer are forced down to the beach with the
 28 snow, there would be no reason not to report it, if you get a
 29 system like you're talking about.

30

31 And that will guarantee their use in the future, that
 32 there comes a time when we have -- the main thing I can see is,
 33 you know, we all know our weather is a lot different around
 34 this island, and I think as Robert learns more about the deer
 35 concentrations, the numbers in different parts of the island,
 36 we could have a situation here where you have a pretty bad
 37 die-off in one area, in the southeast part, northwest part,
 38 and, you know, by having better population data so you know --
 39 you have a better handle on how many deer are out there to be
 40 available and better use of information by the subsistence
 41 users, if it ever comes to where you have to get into that part
 42 of the Federal law where you've got to allocate between
 43 subsistence users, you know, you know how many animals are
 44 taken and you know how many animals are in a given area.
 45 That's the main reason we're doing this deer work, we're moving
 46 towards the future. And I think we do have a potential for
 47 that year because of our differences in weather in different
 48 parts of the island.

49

50

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1 But the reason I like to see a designated hunter
 2 situation -- I mean this business of needing a State license,
 3 that's between you and the Board. But, having a Federal permit
 4 where you list how many deer they take, and having one person
 5 to be able to legally harvest for somebody else in the villages
 6 as well as the road system, there shouldn't be any excuse for
 7 not reporting it. And so you will actually start to get a
 8 handle on how many deer people need.

9

10 CHAIRMAN OLSEN: But certainly I see big pros and cons
 11 on both sides of it, by all means, as the more we study into
 12 this designated hunter I think the more questions come than are
 13 resolved. It's really a tough decision because I certainly
 14 believe in the rights of the subsistence users as I also
 15 believe that we need strong data to support our regulation so
 16 we do not over-harvest.

17

18 MR. STOVALL: And if can I follow-up on what Jay was
 19 saying. Essentially the harvest surveys that are being done
 20 now are being done with subsistence and with sport hunters in
 21 mind. The Federal subsistence permits and designated hunter
 22 system would have only the subsistence harvesters in mind so
 23 that in the future if there came to be a time when there needed
 24 be hard numbers as to what is needed for subsistence users
 25 a particular area, a village, you started to build this
 26 information, this database that supports and will continue to
 27 allow for that subsistence lifestyle to go on because you've
 28 got the hard numbers to say this is what we've been doing.

29

30 CHAIRMAN OLSEN: The other complication I see, as far
 31 as deer and subsistence, is I don't feel regulation meets the
 32 subsistence needs as far as time frame of -- which we are
 33 allowed to harvest under. I know that from my lifetime here in
 34 Kodiak that our needs in the spring, or as well as our needs in
 35 the fall, so that doesn't quite fit into our subsistence needs.

36

37 Yes, Jay.

38

39 MR. BELLINGER: You answered that concern before
 40 because originally alls we did is take the State sport
 41 regulations and make the Federal subsistence regulation.
 42 That's why we you got those sideboards on that.

43

44 CHAIRMAN OLSEN: So, it is very honestly, probably that
 45 we could set a new season for the subsistence taking of deer.

46

47 MR. PETERSON: Mr. Chairman.

48

49 CHAIRMAN OLSEN: Yes.

50

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1
2 MR. PETERSON: I'd like to direct a question to Robert.
3 How long is the survey of the deer count? Is it the second of
4 November to the 18th of November for the whole island?

5
6 MR. STOVALL: For the whole island, the deer harvest
7 surveys that we do?

8
9 MR. PETERSON: You said you did a deer count through
10 the Coast Guard.

11
12 MR. STOVALL: Oh, the FLIR? We try to do the deer
13 counts and the ground counts though in the wintertime, between
14 January and April, mortality surveys which I do in April when
15 the snow is off the ground, of course, or in this case earlier,
16 and when there's snow on the ground it's a heck of a lot easier
17 to count deer. So we try to do the FLIR and/or any ground
18 count or aerial surveys during January, February when there's
19 snow on the ground.

20
21 MR. PETERSON: What I'm getting at is in order for you
22 to get a correct count of the deer population and deer harvest,
23 I believe you're going to have to include Old Harbor hunters
24 when you do the count, and I think that would be your most
25 accurate and the speediest count you can get, 'cause when I'm
26 out there in November, December and January, you -- year after
27 year you know what the population is going to be like, and if
28 you can incorporate it somehow the next time you do your count,
29 include a subsistence hunter from each village in that area
30 you're going to be at, and each village has got a licensed
31 Coast Guard operator that can help you tremendously and gain,
32 hopefully, financially save you guys a lot of money from
33 chartering those Coast Guard choppers around, and maybe
34 counting 'em all or maybe not, but the people that live here
35 hunt them and they know where the deer are and the populations
36 are like you're after. And that's something to look at. I
37 think it's a real good idea to look at.

38
39 MR. STOVALL: We're not chartering the Coast Guard
40 helicopters. It's a cooperative situation with them. They get
41 training out of it and we get deer numbers.

42
43 MR. PETERSON: Okay, if that's wrong, then

44
45 MR. STOVALL: But I agree -- I agree
46 wholeheartedly

47
48 MR. PETERSON: you'd get a more correct survey if
49 you hired local people to do it or grab somebody local and went
50

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but for four days and counted deer and talked to them about the survey, how many people are -- deer are you taking out or how many deer are you harvesting.

4

5 MR. STOVALL: If it's

6

7 MR. PETERSON: And if you do it year after year it would become a regular thing and you're not apprehensive of saying, well, I only have three tickets, I only got three deer, and if you'd come on a yearly basis and get -- approach it like if you know, send Jay, you could tell him that you harvested something, and if it's in the means of subsistence and not waste and -- just waste, you know,

14

15 CHAIRMAN OLSEN: It's called pagooking (ph).

16

17 MR. PETERSON: he understands subsistence.

18

19 MR. CARL CHRISTIANSEN: But you also know what he was telling you, don't go do it in front of me, right?

21

22 MR. PETERSON: Yes.

23

24 CHAIRMAN OLSEN: Carl, did you have something?

25

26 MR. CARL CHRISTIANSEN: Yeah, I was just going to say, you know, we get a lot of these fishermen that come up in the summertime and take a lot that's not accountable, some of these outside boats that come up from Seattle, these are not being accounted for.

31

32 MR. STOVALL: Yeah.

33

34 CHAIRMAN OLSEN: These are issues that we can identify very well, and this is why we would like to have these meetings, these forums, so we can pass this information on, and vice-versa. It's very meaningful and helpful to state so.

38

39 Yes, Sue.

40

41 MS. DETWILER: I just wanted to also bring up the issue of community bag limits. That's another option that this designated hunter task force came up with. There's two which they came up with which are currently workable, and one is the designated hunter option that you were talking about; the other one is the community bag limit option. And you might want to consider that next fall when you think of your proposals and for the Board for the next regulatory year. And that's -- with the community bag limit option -- I'm not -- I don't think it

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Would work very well for a community that's pretty diverse and doesn't share, it's not a small community and some people don't share within it, but it might work for some of the smaller communities where people are pretty close together and they all share among themselves. You might get much better reporting if you just have a single community bag limit and people go out and get whatever they need within that bag limit and then you report it to the designated village recorder, and then that way it doesn't violate people's confidentiality. That helps -- it helps everybody.

11

12 CHAIRMAN OLSEN: I know there's been so much discussion here, and I think we do have a place in here as part of the designated hunter which we will be discussing, but certainly we are open for all comments and input on it.

16

17 MS. DETWILER: I just couldn't let the opportunity pass.

19

20 CHAIRMAN OLSEN: Oh, certainly, certainly, and I recognize it. One more question here for Robert, if you will. Is this on the deer still?

23

24 MR. PETERSON: Yes.

25

26 CHAIRMAN OLSEN: Go ahead.

27

28 MR. PETERSON: I want to -- can I get a response of "I'll look into it" or "that's a good idea and we'll see what we can do for next year" as far as using local people for doing the surveys of the population of deer in their own area?

32

33 MR. BELLINGER: I can answer that. I dole his money out to him, but right now what we're doing is we only have enough money where we're using volunteers for the kind of thing you're talking about. I mean we feed them and take them out here, but we don't have money to hire anybody other than Robert. But, oh yeah, it's a good idea. In fact years ago I put one -- I got one staff position approved on my staffing effort to be a biotech in the village, you know, somewhere. It was this very thing to have -- start getting some jobs out there for the refuge plus have the local expertise help out with all these projects. But I've never had money to fund that, so it's just dollars. But it's a good idea.

45

46 MR. STOVALL: Can I also follow through and say that I can devise a system that if everyone is willing to do it the same way, which is what -- the kind of information that has to be done all the same way, I'd been more than welcome to work

50

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272-7515

With local people in each village to go out to the various areas and do deer counts, 'cause that only benefits you. It benefits me secondarily, but it's going to benefit you all a lot more. And it benefits me from the whole refuge standpoint and all the village standpoints. The more information you gather the better it is, and a system can be developed where if you do it the same way and you do it with the same people you're going to get reliable data, and that's what we're looking to do. And I'd be willing to come up with that type of system and work with each -- those villages who would be willing to work with that. Yes, is the answer.

12

13 MR. PETERSON: That sounds good.

14

15 CHAIRMAN OLSEN: Yes.

16

17 MR. GATTER: I have a question for Robert there.
 George Gatter. This survey was done from -- was it 16 days,
 the survey, from November 2 to November 18?

20

21 MR. STOVALL: It's a hunter check survey.

22

23 MR. GATTER: Right. And in that 16-day period of the
 24 correct me if I'm wrong, that the season is five months,
 right?

26

27 MR. STOVALL: Correct.

28

29 MR. GATTER: Correct. Of those 16 days there -- could
 we estimate that out of those 16 days of the five months,
 that's 150 days, five days, 16 of those days there was 125
 hunters in that area, so we could roughly say there was maybe
 3,200 hunters during the five month period? Or is this just
 like the peak of the season?

35

36 MR. STOVALL: It's

37

38 MR. GATTER: What would you estimate the total numbers
 of hunters?

40

41 MR. STOVALL: Throughout the whole time frame?

42

43 MR. GATTER: For the refuge, yeah, for the five-month
 period. I mean I'm just -- I'm going on these 16 days and I'm
 just, you know,

46

47 MR. STOVALL: Yeah, that's

48

49 MR. GATTER: that five months is a long time.

50

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1

2 MR. STOVALL: That five months is a long time,
and

4

5 MR. GATTER: When you've got a 16-day period here.

6

7 MR. STOVALL: And you have to keep in mind that
November and December are your busiest times of that five-month
period.

10

11 MR. GATTER: Right.

12

13 MR. STOVALL: And it probably increases from the
beginning of the five-month period to the end of the five-month
period, hunter-wise, until the peak in November. I would not
use it like that, I'd use it as a snapshot, and we've been
doing this particular snapshot for the last five years or so.

18

19 MR. BELLINGER: Well, before Robert came here, one year
we had enough money that we actually were out with our vessel
for five weeks, and we did -- we started in the middle of
October, found very few hunters. Came back in and went back
out and worked most of November. I try not to make people work
Thanksgiving and Christmas. Sometimes if the weather looks bad
they have to get in a little early, but we actually went back
out in December then, too.

27

28 But what we found over -- I don't know how many years
we've been doing this now, probably 10 years, nine years, and
we've just been doing it where we mainly have refuge land along
the saltwater edge. But we found that, you know, even the last
week of October is not the density of hunters that you've got
out there, starting that first week of November, and so we just
go and we get different amounts of money different years, and
between the number of people we had available, the amount of
money we've got to run the boat, you know, that first three
weeks of November we know we're going to be able to contact
most hunters for the amount of effort. So, we're also working
law enforcement when we're out there. So it's collecting
public use information and deer herd data, cleaning up garbage
behind them, and working law enforcement. But what that is,
that's a snapshot of the peak deer hunter use. The main
hunting we're missing is the boat hunting in December.

44

45 MR. GATTER: During your snapshot survey through the
ten years has it always been pretty consecutive (sic) in the
month of November -- I mean as far as you doing the survey in
November?

49

50

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1 MR. BELLINGER: Right. It's the peak hunting pressure
mainly because it's the easiest to hunt, especially if you want
Bucks that have antlers.

4

5 MR. GATTER: Right. So you guys have never -- I mean
you've never done like a late December snapshot of the survey,
you know, just to kind of -- I mean I'm just trying to get a
variety, you know, of the -- there might be a second peak or
there's an early peak?

10

11 MR. BELLINGER: There's a peak in Novem- -- or in
December that we're missing that is -- it has a lot of local
hunters, but that's the seine boats. But there's also a lot of
non-local hunters in all these marine transporters out there
hanging 'em like crazy.

16

17 MR. GATTER: Right.

18

19 MR. BELLINGER: And it's -- I see the card survey that
the State -- Robert was talking about the trooper going around
and he was contacting the hunters in the field, but the State
has been doing a card survey almost every year, I think, in the
last few years. That covers the whole season and the whole
archipelago, and that has really, closely paralleled what
Robert's saying on the breakdown of hunters as far as a percent
that are federally considered subsistence hunters, Alaska
residents, off island and non-residents. So, we have been
getting data on the numbers of hunters throughout the whole
archipelago and throughout the whole season through that State
card survey. But we haven't -- we went out in December one
year, it happened to be that first year that we had the big
winter kill, and we had all that snow, and it was unbelievable
the boat loads of adult bucks. I mean everyone was filling up
their limits, just about, that I checked out there. We were
out eight days before the weather, wading through the snow and
slipping in that cold skiff when I said, "Enough of this."
But, that's the only year we went back out in December.

38

39 MR. GATTER: Is there any type of -- so you have no
type of tally as far as how many hunters use the refuge land?

41

42 MR. BELLINGER: Through the State card survey they have
an estimate.

44

45 MR. GATTER: They do.

46

47 MR. STOVALL: Yeah, I can get that number.

48

49 MR. GATTER: Okay. I just kind of wanted to know how

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many hunters there are really accessing the land.

2
3 CHAIRMAN OLSEN: I do notice that there is the summary
4 of deer counts and checks available on the table there. I will
5 say here, again, when I look at it I don't see any numbers as
6 recordings of subsistence take, but do you

7
8 MR. STOVALL: Basically, anyone who is a resident of
9 Kodiak is a subsistence deer hunter.

10
11 CHAIRMAN OLSEN: Right. But I don't see any other than
12 the survey itself of subsistence. I just didn't see anything
13 in the summary of deer checks. I mean do you ever run into a
14 subsistence hunter while you're out in the field doing a field
15 check?

16
17 MR. STOVALL: Every Kodiak resident, yes, if he's from
18 Kodiak,

19
20 MR. BELLINGER: The Kodiak archipelago.

21
22 MR. STOVALL: Yeah, the archipelago, is considered a
23 subsistence deer hunter on Kodiak.

24
25 MR. HAAKANSON: With a license.

26
27 MR. STOVALL: With a license.

28
29 CHAIRMAN OLSEN: So in fact they're not a subsistence
30 hunter. That's one of our arguments that we always have had,
31 that if you are -- have to have a license then you're not a
32 subsistence user. So, I guess what I'm saying is these are
33 basically sport hunters

34
35 MR. STOVALL: I guess those without a license are from
36 Kodiak are also subsistence hunters, yeah.

37
38 CHAIRMAN OLSEN: Okay, there is one other question here
39 before we'd like to take a break. I was aware of, on the sea
40 after surveys -- you know, our last meeting the council
41 rejected the process of the survey as inaccurate. Number one,
42 has there been anything done to make it a better survey,
43 or

44
45 MR. STOVALL: I'm afraid I don't remember that.

46
47 CHAIRMAN OLSEN: Maybe you weren't involved with it,
48 but I know we as a council at one of our meetings in Anchorage,
49 we did discuss that, and we asked what means and methods were
50

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used to determine this survey, and we found them basically unacceptable. But, yes, I can go back to it later here and get back to you.

4

5 MR. STOVALL: I'd like to read that because I can't really respond to it because the method that we did use in '94 was from a -- was a method that had been developed in the Prince William Sound area, and it was a part of a research -- the larger research that looked at all the other methods for doing sea otter surveys that were found to be inadequate, especially during the time of the oil spill when they really started to try and get real good numbers of sea otters and tried to get a usable survey. They looked at all the methods and this was the method that they did use -- they came up with was this aerial survey method.

16

17 CHAIRMAN OLSEN: Right. I'm not questioning the aerial survey but how the aerial survey was conducted. At any rate, I do recall it and I will have to get together with you to -- I know it's recorded in our documentation in our minutes that the council did not approve of the

22

23 MR. STOVALL: Of the methods?

24

25 CHAIRMAN OLSEN: of the methods of the survey of the sea otter. The other part I had on the sea otter here was the considerations of their environment, as we all locally know that the main diet of the sea otter is in the crustacean family. Certainly with the crustacean considerably taking a close dive that's going to have a reflection on the populations of our sea otters. What kind of consideration has been taken as to that effect, if any?

33

34 MR. STOVALL: Well, I know of one survey that was done, I think it was in the late '80s, again, where they looked at the sea otter prairie items and how much they ate, where they ate it at, what populations were eating them. This was done on Shuyak Island in the western Shuyak Island and northern Afognak Island area. They utilize a very large spectrum of marine invertebrates, from clams, mussels, goosyduks, crab, sea urchins, sea cucumbers; they eat just about anything. Now, populations of the crab, of course, have shown declines -- have obviously shown some declines, and also sea otters have been accused of producing some of those declines in some areas, I know that for a fact. So, the relationship is there hasn't been a lot of study on it, on Kodiak Island, in and around Kodiak Island in general. And I'm not exactly sure who would be doing the study, but it's a possibility for our project to be looked at.

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1
2 CHAIRMAN OLSEN: I might make a correction on my own
3 verbiage here. I used the term big data on crustacean. I
4 meant the exoskeleton which includes, you know, mussels, clams,
5 crabs and et cetera. That's what I'm am aware of as the
6 mainstay of their diet myself, but I've got a lot to learn
7 myself.

8
9 That was it for me. Does anybody else have any
10 questions here for Mr. Stovall?

11
12 MR. GATTER: Mr. Chairman.

13
14 CHAIRMAN OLSEN: George.

15
16 MR. GATTER: Yeah, I have a question for Robert. Do
17 you think that a voluntary survey of the village on the
18 subsistence uses that is not reported would -- could a
19 voluntary survey without prosecution help the community as far
20 as letting it be known how much the people in the village
21 depend on deer for subsistence?

22
23 MR. STOVALL: Yes.

24
25 MR. GATTER: Do you think it would help?

26
27 MR. STOVALL: Yes.

28
29 MR. GATTER: I think that we need to, as a community,
30 get together and let you guys know exactly what we're
31 harvesting that's unreported as far as the State Fish & Game
32 and things like that. But do you think it would help us as far
33 as letting you guys know that -- how much deer we actually
34 harvest in the year? Because deer is a big part of everybody's
35 diet.

36
37 MR. STOVALL: I'll use a survey that we did on this
38 reporting of true numbers is so much better than on un-honest
39 reporting, and the Subsistence Division, State uses a method
40 where there's no names attached to the reporting system, which
41 I think is the way to go. And that way you get more honest
42 reporting. Even with that system the whole village of Akhiok
43 for one year harvested 35 deer. Now, there's about 70 or so
44 folks in that village and they only harvested 35 deer. That's
45 what they told us. Now

46
47 MR. GATTER: Do you believe them?

48
49 MR. STOVALL: Jay had a problem with that, and I took
50

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272-7515

it as what -- that it was honest reporting. I think anytime that you can get past the fear of prosecution, the information that you provide to me, as a biologist, is only going to benefit you.

5

6 MR. GATTER: I've done -- I've been involved in that survey with no names and things like that. And to me it was just a -- it was kind of like spot check in the community. I believe not everyone was covered because I know pretty much everybody in town here uses deer as subsistence. But I'm trying to say could we as a community do a survey ourselves and turn it in to you so that everybody from subsistence harvest is in there for the deer, to get a really honest survey?

14

15 MR. STOVALL: I would have to say yes to that. You know, it seems to me that if you as a village want to let us know -- let this biologist know how many deer are being harvested, the only way I can use it, I can't use it to -- I can't use it against you, I can only use it for scientific reasons, which is what I'd be using it for. Am I wrong in saying something like that?

22

23 MR. WILLIS: No, that's exactly right. I was going to call George tomorrow or whenever we get to the actual proposals that put changes in the regulations this year, we'll talk about this designated hunter proposal that's on the table for this year. We've got a Federal permit which will do exactly what you're talking about. I've got some copies, I'll pass them around and let you look at them, whenever we get to that point. Also the council will talk about it some more then.

31

32 MR. EMIL CHRISTIANSEN: Do you guys -- I'm Emil Christiansen. Do you guys have some kind of a -- oh, I would say a regulation or something to say who could have subsistence like out in the village, or could anybody from Anchorage come down here and go subsistence hunting? Do you guys stop that or -- I just need to know.

38

39 MR. WILLIS: Well, that's in the regulations.

40

41 MR. EMIL CHRISTIANSEN: Someone could go crazy on us if you say everybody can subsistence hunt even if you came out of Anchorage. When you guys come down I don't want to see something like that happen. You know, I wouldn't shoot a deer out of season 'cause I'm afraid of prosecution from Fish & Wildlife, even if it was subsistence. You know, 'cause the -- it seems like if you shoot a deer out of season, you shoot a person, they'll hang you for the deer and let the person go.

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272-7515

1 MR. WILLIS: It's in regulation, but it spells out who
2s a subsistence user in each area of the state, and only the
3people in Region 8, which is the Kodiak archipelago, have
4subsistence use of deer on Kodiak Island.

5
6 MR. GATTER: But you've got to have a license.

7
8 MR. WILLIS: Yes, you have to have a State license.

9
10 MR. GATTER: It isn't a subsistence permit.

11
12 MR. WILLIS: Well, the law says it is, okay. And we
13have to operate under the law. The law spells out what
14subsistence is, and, you know, Mark here considers maybe only a
15person living in a village to be a subsistence user, but under
16the law Jay Bellinger over there is also a subsistence user,
17and he's a refuge manager. Tom there sells insurance, he's
18also a subsistence user. Everybody who lives in the Kodiak
19archipelago by law has the same subsistence rights, whether
20they live in Kodiak city or whether they live in Akhiok.
21That's the law. And if you dislike that or disagree with it,
22you're going to have to go back to Congress to get it changed.

23
24 CHAIRMAN OLSEN: That is what rural preference is all
25about.

26
27 (Off record comments)

28
29 MR. MISHLER: May I add something on the voluntary
30survey?

31
32 CHAIRMAN OLSEN: Yes, Craig.

33
34 MR. MISHLER: I think that would be an improvement even
35our methodology that we use in doing house to house surveys
36because we always -- in a large community like this we do a
37sample rather than a complete survey, and in a small place like
38Akhiok or Karluk we try to hit every household, but in
39Port Lions and Old Harbor '91 was the last time that we did
40this comprehensive survey. We decided it would take us an
41inordinate amount of time -- staff time to reach every
42household, so our target was 50 percent of the community. We
43identified the total number for the households and then we did
44random selection and we hoped that by hitting that 50 percent
45and then roughly doubling that, we would get an estimate -- a
46good estimate of the entire community, but it's not nearly as
47good an estimate as reaching every household and getting an
48exact count from each household. In addition, we also had some
49households that came up in our random selection that were out
50

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272-7515

of town or not around or people that refused to participate,
and even if you -- as an insider in the community you may find
some people refusing.

4

5 MR. GATTER: Deer prosecution is one of the reasons.

6

7 MR. MISHLER: But I'm certain you would get a better
estimate by attempting to do a complete census of the community
than we did in doing our 50 percent sample, there's no doubt
about it.

11

12 CHAIRMAN OLSEN: I have always been an advocate of
that, knowing so many go unreported, but I certainly am not
going to jeopardize those for prosecution, and this one thing
that I have been unable to do is to try to find a way to really
show statistically why -- what the people actually used. I
think it would be astounding to our statesmen. But yet to be
free from prosecution -- and it's been very, very difficult,
and been ignored.

20

21 As a matter of fact I've always been an advocate --
hopefully, maybe if the tribal council is able to be involved
in the subsistence use the people would be less intimidated to
make the report. But this is something amongst yourselves that
you're going to have to work out to hopefully bring the
statistics to the council, to the US Fish & Wildlife Service,
to the State. But I think it's very, very important that they
get some idea of what actually is harvested out there to
protect ourselves in the future, should it come down to the who
gets to hunt.

31

32 And as you see, it's reality, but basically I would
respectfully request that you folks try to work something out
that can give everybody a good estimate of what they really
utilize in their community. Only for purposes of count, not of
prosecution, that's not the intent.

37

38 At this time I think I would like to call a break here,
and I believe after the break here we'll have Craig Mishler
give us his report.

41

42 COURT REPORTER: Off record.

43

44 (Off record)

45 (On record)

46

47 CHAIRMAN OLSEN: I know that our day seems to have
gotten away from us. We must continue to get to our people in
the agenda here. Our plan is to hear from the State department

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272-7515

Here, from Craig Mishler, and then to go ahead and recess until tomorrow, if that's acceptable with the folks here involved. Hearing no objection, I would like to call the meeting back to order, and, Craig, will you please give us all your -- how should I say,

6
7 MR. MISHLER: News?

8
9 CHAIRMAN OLSEN: knowledge?

10
11 MR. MISHLER: Maybe more news than knowledge here,
12 but

13
14 MR. CHRISTENSEN: Mr. Chairman, one comment. I was wondering, I would like to ask Moses what he thinks, if we'll be able to get through the full agenda tomorrow in time to catch a plane, because, you know, the outlook is for 40. I heard that on the news.

19
20 MR. CARL CHRISTIANSEN: 40 what, northwest?

21
22 MR. CHRISTENSEN: North -- north and 40 is the outlook.

23
24 MR. CARL CHRISTIANSEN: That's good wind to fly in.

25
26 MR. CHRISTENSEN: It will take you longer.

27
28 MR. DIRKS: I think that

29
30 MR. EMIL CHRISTIANSEN: Carl's going on his boat, you can always just get on with him.

32
33 MR. CHRISTENSEN: Well, that was for Shelikof. I'm just used to listening to Shelikof out there, but it's supposed to be 35 and 40 outlook.

36
37 CHAIRMAN OLSEN: As I personally look at it myself, just a guesstimate here, I looked at how far we've gotten today with basically less than half a day's work put into it, I see what we have tomorrow, it depends on how rapidly we get started and move on in the morning, but I personally look at what's in the agenda, the discussions and the presentations that we have had this afternoon, I don't look at it to be as lengthy on the rest of the agenda. Do you see it different?

45
46 MR. DIRKS: I think that the reports are the ones that are taking longer, and once that is -- we get past that report stage then it should go pretty fast. And then we have just those two proposals to deal with and just a couple of items and

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272-7515

then

2

3 MR. TUTIAKOFF: I think we can handle it.

4

5 MR. DIRKS: We should be able to handle it.

6

7 CHAIRMAN OLSEN: Thank you. Now, Craig.

8

9 MR. MISHLER: I'm Craig Mishler. I work in the
 10 Division of Subsistence with the Alaska Department of Fish &
 11 Game, and have been coming down to Old Harbor for the last six
 12 years, and have made a lot of friends here, and I want to just
 13 thank everybody here that's hosting this meeting, because it's
 14 really -- the hospitality here is almost unmatched, and I
 15 really enjoy a chance to come down again.

16

17 And I have, I guess, about four items that I wanted to
 18 cover here in my report from the State, and the first, I guess,
 19 I want to announce that we've depleted our three-year
 20 Minerals Management Service study of subsistence in oil spill
 21 communities, and I believe there are 14 communities involved
 22 and seven of them are here in Kodiak. And I've been involved
 23 writing these chapters and evaluating the data that was
 24 collected.

25

26 Just to give you a quick rundown, we did harvest
 27 surveys house to house in 1991 in Karluk, Old Harbor, Kodiak,
 28 the Coast Guard base and the Kodiak road system. And in 1992
 29 we did a harvest survey in Akhiok. In '93 we did one in
 30 Port Lions, and then there were three communities that we did
 31 surveys in all three years from 1991 through '93. Those were
 32 Kodiak city, Larsen Bay, and Ouzinkie. And this massive report
 33 now is completed and we're putting the final revisions on it in
 34 the next few weeks here. I think by March or by April 1 it's
 35 due to be put in final form to Minerals Management Service and
 36 will become a public document, and Rachel Mason was a co-author
 37 of quite a few of the Kodiak chapters here, so any of the
 38 questions that might come up about the report could be directed
 39 to her since she's the co-author.

40

41 But this turned out to be the mother of all reports.
 42 We had a contest in the office to guess how many pages it was
 43 going to come to, and I guessed, I think, about 1,400 -- what
 44 did you get?

45

46 MS. MASON: I guessed 1,700 and it was still too low.

47

48 MR. MISHLER: It was still too low. It came out to
 49 2,100 pages. This includes data and narrative and graphs and

50

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charts and

2

3 CHAIRMAN OLSEN: Is this western C & T? I'm joking.

4

5 MR. MISHLER: So, anyway, this is probably the most
6 comprehensive study ever done on subsistence in any part of the
7 State. It includes, of course, a lot of the Prince William
8 Sound and Lower Cook Inlet communities as well as Kodiak, and
9 It also includes the Alaska Peninsula communities, the Chignik
10 and Ivanof Bay and Perryville for a couple of years. So, I
11 hope that we can distribute this. Perhaps, instead of
12 distributing complete copies, you might want to distribute the
13 selected chapters relating to the communities in your areas.
14 It should be -- I think they're talking about printing 30
15 copies of this -- that would make it like 60,000 pages just to
16 distribute to agencies and libraries. I'm sure there will be
17 at least one available in Kodiak, and I just thought I'd let
18 you know that that's in the final stages of preparation.

19

20 CHAIRMAN OLSEN: Excuse me. If I may, when you say
21 100 pages or whatever of the survey, was that of just the
22 Kodiak/Aleutian Region or is that inclusive of the state?

23

24 MR. MISHLER: No, that's all 14 communities.

25

26 CHAIRMAN OLSEN: Okay. Thank you.

27

28 MR. MISHLER: But what it will allow people to do is
29 make comparisons between communities, and those communities,
30 like Kodiak city, Larsen Bay and Ouzinkie, people will be able
31 to make a comparison within the communities over different
32 study years, and in fact in all of these Kodiak communities we
33 did harvest surveys before the oil spill, and in our analysis
34 we show what the effect and the impact of the oil spill was on
35 subsistence uses and how that affected the number of pounds of
36 wild resources used per person and per household over time.

37

38 Are there any questions about that report?

39

40 CHAIRMAN OLSEN: Is that the report itself or are you
41 going to give us the contents of the report?

42

43 MR. MISHLER: Well, it would be pretty hard for me to
44 give you the contents -- to summarize 2,100 pages or even the
45 Kodiak part of it, which is probably a third of that.

46

47 CHAIRMAN OLSEN: But did it give you an indication as
48 to whether it was on a decline or an incline?

49

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1 MR. MISHLER: Well, as you might expect it, speaking or
 painting with a very broad brush, we knew that subsistence uses
 were curtailed, especially shellfish uses after the oil spill,
 and even salmon uses. A lot of people were afraid to eat
 salmon because they thought it was contaminated. So, as you
 might expect, it was a massive decline in 1989, right after the
 spill when we did our first survey, and then it gradually,
 gradually came up. But some communities recovered faster than
 others, and it was the basis, I think, of our data that Exxon
 settled out of court on the Exxon Valdez oil spill claims that
 were made by communities, that \$20 million settlement we
 believe was a direct result of us having good, hard evidence of
 the damage done to subsistence. And another good reason why it
 pays to do these surveys, because otherwise people could get up
 and holler and scream and say, you know, I couldn't eat
 shellfish because of the oil spill, but without having some way
 to measure that impact there was no basis for an award. But by
 having everything in quantities, the impact -- I think there
 was even an attempt to make a conversion between the pounds of
 wild foods and what the market value of those foods were, if
 those had to be replaced with store-bought meats and poultry
 and fish. And that was then turned into a dollar amount.

23

24 CHAIRMAN OLSEN: I was just very aware, as myself, as
 how I'd deferred from subsistence after the oil spill, not
 because we got paid for working on the oil spill but the simple
 desire was not there because of pure threat.

28

29 MR. MISHLER: Then I guess the second item is some news
 about recent harvest surveys that we've done in the region, and
 for a long time we recognized that throughout the state we did
 not have good harvest information from the -- some of the
 Aleutian communities and from the Pribilofs. So, just last
 month there were two research teams, one that went to Unalaska
 and to Atka, and that included Moses Dirks, whom we borrowed
 from Fish & Wildlife Service, to work with us in Atka, and I
 think Vince was one of the people surveyed. So, we got his
 harvest.

39

40 And I was a crew leader for a team that went to the
 Pribilofs and St. Paul and St. George Islands, and we went and
 did a sample -- again, it was a large -- St. Paul was a large
 community so we did a 50 percent sampling there, about 84
 households. And then St. George we did a complete census, as
 many as we could get there. We identified 50 households and we
 did 38 surveys. And there were some very good baseline studies
 of these communities back in the early '80s by Doug and
 Mary Veltry (ph), and those -- I'm sure Vince has seen those
 studies, and Moses also. But at that time they were trying to

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get a feeling for the seasonal round of activities and the resources used, and they didn't make any attempt to systematically record quantities that were used. So this was a first time that that was done, and we feel it will be used as a reference point here for a long time to come.

6

7 That report -- those reports will probably take us close to a year to release before the data -- the data has to be coded and has to be entered in by a data entry person, and the data has to be double-checked and triple-checked, and then there are logic checks, and it goes on and on, and we try to make sure that everything is consistent and clean before we even begin to write it up. But those reports should be coming out about this time next year.

15

16 Some other items I wanted to mention is that we're having a meeting in Anchorage on the 2nd of April -- I'm sorry, the 2nd of March for -- to convene members of the oil spill communities that use harbor seals, and there's a movement afoot because harvest seal populations are continuing to decline, that we sense there's -- it's timely for us to use some of the 2011 spill restoration monies to encourage the formation of a harbor seal commission of Native users, and that meeting will be an organizing meeting for the commission, and I've been trying to recruit people here from -- somebody from Old Harbor, and I think Virginia Squartsoff is coming from Larsen Bay; Pete Squartsoff is coming from Port Lions; and we're trying to invite Margaret Roberts to attend. It will be a meeting about the sea otter and harbor seal, but I think the emphasis will be on harbor seal. And we feel that as harbor seals continue to decline they may become listed as a threatened species on the Endangered Species Act, and that Native users may face some additional pressures by animal rights groups to limit or control the harvest, and we think that the best way for subsistence to be protected and defended is when the users organize and present themselves before the agencies and work with the agencies. There's a lot that can be done.

38

39 We had a preliminary meeting just of the Prince William Sound and Lower Cook Inlet communities in December, and one of the things that the biologists were encouraging was the collection of samples -- biological tissue samples from subsistence take in animals so that these animals can be studied to see what exactly is happening to them, if there's any toxic substances in them or if their fat levels are thin, if the age and sex of the animals and the latent condition are all important. And I think one of the things we'll be doing at this meeting is trying to encourage hunters to collect samples from their takes, the parts of the animals they're not

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normally using, like the heads can be used in a variety of ways for different tests.

3

4 MR. CHRISTENSEN: I was just going to ask on that, what exact parts of the seal that they're asking for samples and where would you do it at?

7

8 MR. MISHLER: They'd like to have the heads, they can use the canine teeth for aging the animals, they can use the skin to test for -- I'm not sure now all the tests that they can run on these, but they like to have the stomach contents also to see what the diet is or the food is of the seal is or the sea lion. They're encouraging people to collect seal and sea lion tissues for sampling, but we want this done in a systematic way and give people the proper training for it before they go off and collect samples. And then they're also interested in like either the whiskers or the toenails from the flippers. Those are the basic parts that they're interested in for sampling.

20

21 We ran into one thing in the Pribilofs where people felt that it was their tradition and custom to always return the head of the animal back into the ocean. They felt this is the proper respect given to the sea lion, and they said we will send you the heads of the sea lions, but we want you to respect our tradition and not put these animals heads on display or put them in a museum, we feel that these ought to be -- after they're tested and examined by the biologists, that they should be returned to us so they can be returned to the sea.

30

31 So, these kinds of things, we feel, are important and have to do with people's spiritual beliefs, and so any kind of thing that might come up in sampling on that line should be mentioned before people begin their sampling.

35

36 Then I'm also aware that there is an emerging sea lion commission as well as an emerging harbor seal commission. I was told by Sue Mellow at the National Marine Fisheries Service that she was searching for money to bring together representatives to involve communities in the state that take a substantial number of stellar sea lions for subsistence, and we are hoping to have a meeting in Anchorage this month, but I haven't heard anything recently from her. So I don't know if that's going to be on a fast track or a slower track. But I would guess that we'll see a harbor seal commission and a stellar sea lion commission coming along here this year. And we'd certainly like to invite all of you to stay in tune with that and participate in those meetings and discussions.

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1 I think Vince was involved in a teleconference that was
held on the sea lion commission.

3

4 And just to let the people in Old Harbor know that
we're continuing our subsistence study of harbor seal and
sea lion subsistence takes, and that's going on now twice a
year. We're doing it in January and we're doing it again in
May. And George Inga, Sr., here in Old Harbor, is our local
hire for that. And we think that he's been doing an excellent
job and encourage everybody to work with him. And that's going
on all over the state, and we'll be having -- we've got a
report that has just come out. It's so new that I haven't even
seen it. It's supposed to be in the mail to me. It's on the
1993 harvest of stellar sea lion and harbor seal in Alaska. If
you know, we did a 1992 report the first year. 1993, just
roughly, is very comparable to 1992. There's some areas in the
state where a few more seals were taken and a few areas where
less were taken, but it all seems to -- as far as a statewide
total, it's very comparable, within probably a couple hundred
animals. And Southeast Alaska continues to be the leader in
harbor seal takes, but stellar sea lion is the Pribilofs and
the Aleutians, of course. In places like Old Harbor it's
interesting because it's one of the few places, along with
Alaska, where both species of animals are taken in
substantial numbers.

26

27 So that report will be available very soon, and I guess
anyone who wants to get a copy of that can see me after the
meetings today, and I'll put you on our mailing list so you'll
get a copy of that.

31

32 And I guess the last item I had on the agenda of news
is that in April we're having a international meeting called --
it's a symposium called "Understanding Harvest Assessment in
the North." And we're inviting Greenlanders and Canadians and
Alaskans to come together and talk about this very notion of
measuring or estimating harvest and what the importance of that
is and what different methods can be used. I think
George Gatter's suggestion of people doing a local voluntary
harvest assessment is an interesting one, and one that hasn't
been tried before. And we're interested in new approaches to
this task, and it's -- I think this is a really important
meeting, partly because it's going to be the first time when
biologists and anthropologists in the Native communities,
subsistence users, are all going to be meeting in one place and
talking together about common concerns.

47

48 And we have Oscar Kawagley as one of the keynote
speakers. Larry Mercurief is going to be talking about the

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role of Native commissions and co-management, and I think it's really an excellent opportunity for any of you that want to attend. I did bring a few pamphlets here. If you're interested, you can take one of these.

5

6 My involvement in it has been organizing the entertainment. We were having a lot of negotiations with the Nankeke (ph) Theatre from Chevak that does plays, and the Director was in Anchorage for the State Bilingual Education Conference last week, and we sat down and had lunch with him, and he's going -- we're essentially commissioning him to write a play about how Natives would manage subsistence if they could do it their way. And so he's going to bring drummers and singers and young people and interpret subsistence management from the Native point of view. We think this will be good entertainment as well as stimulating people's thinking, giving new perspectives. And we're going to have some Athapaskan fiddlers there, too.

19

20 So, anyway, that's what's coming up in April. And I guess with that, that's the end of my report. If anybody has questions, I'd be happy to entertain them.

23

24 MR. PETERSON: Yes, Mr. Chairman, I've got some questions for Craig Mishler.

26

27 MR. MISHLER: Sure.

28

29 MR. PETERSON: There's been a warning out for PSP in Barsen Bay, I think, and I guess we're going to go out tonight and check the clams in our local stock. Maybe I can direct this more towards Randy. Has something happened in Larsen Bay, like is there -- somebody get sick on them?

34

35 MR. CHRISTENSEN: No, not that I know of. When did this warning come out? I've never heard of it.

37

38 MR. PETERSON: Two days ago.

39

40 MR. CHRISTENSEN: Well, see, I've been in Kodiak for a week, so I didn't even know about this warning, and I haven't I'm sure I would have heard of it if anybody got hurt.

43

44 MR. PETERSON: Somebody told me it was on the west side, so

46

47 MR. CHRISTENSEN: Well, if it was on the west side, you usually don't get clams down in Karluk, it's hard to find them. So it would probably be Larsen Bay. The tides are pretty big

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how.

2

3 MR. PETERSON: Yeah, it's a minus .07, I think,
 4 tonight.

5

6 MR. CHRISTENSEN: Yeah, so it possibly could be. I
 7 don't know if anybody got sick. It sure seems like we would
 8 have heard something. News like that usually travels pretty
 9 fast. That's the first I've heard of it.

10

11 MR. MISHLER: I guess I should fill you in, there was a
 12 death here last summer -- a local person that ate blue mussels
 13 and died from PSP as a result, and since then George Inga and
 14 then later the VPSO had been sending in samples of the mussels
 15 from that site where she harvested the mussels, and I think out
 16 of all the tests that were run, there were probably eight or
 17 ten tests and only one time when the levels were below the
 18 threshold of toxic consumption. So we still think that people
 19 should be careful about mussels. But we don't know about
 20 clams, and clams are what people really want to eat here. It
 21 was suggested to me that we try to sample and test some of the
 22 clams. So, Jeff and I might go out this evening and try to get
 23 some clams to take back to the lab in Palmer.

24

25 CHAIRMAN OLSEN: Other than red tide, what else will
 26 create PSP in our shellfish?

27

28 MR. MISHLER: Well, we took a group down to Seattle, to
 29 the National Marine Fisheries Service lab. This was also under
 30 a spill money, to show people how the clams and fish are
 31 tested down there, and we met with an expert, a toxicologist,
 32 who works with shellfish all the time. He says that there is
 33 no connection between the season, that you can get PSP --
 34 there's no connection between -- you can get PSP whether
 35 there's red tide or not red tide. You can get -- they've
 36 documented cases of PSP in as late as November down in Puget
 37 Sound.

38

39 And the only method that they have to determine whether
 40 these shellfish are safe to eat is what they call mouse
 41 bioassay, and this is the fancy scientific method of grinding
 42 the clams in a blender and feeding them to the mice and
 43 watching how long it takes for them to keel over. If they keel
 44 over in a half-hour then you definitely don't want to eat the
 45 clams. If they last three days, well, it means it's getting
 46 close to maybe possibly you could eat them, but if -- I don't
 47 know how they do the measurements, but they come up with a
 48 toxic level, and 80 is the cut-off point. If it's above 80
 49 then you're not supposed to consume it. But, the State's

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Official position by the State epidemiologist is that people should not eat clams. So we know people are going to eat clams anyway.

4

5 But it is a good idea periodically to test what you're eating, and I have heard that people in Old Harbor are back to eating clams, and with no bad side effects yet. But I think it would be good insurance if we did test and see where the clams are at right now. The State does not have a comprehensive program for testing shellfish for subsistence consumption, only for commercial consumption, and I said well, how -- and I asked this expert -- I've forgotten his name now -- when I go to Skipper's, a seafood restaurant, and I order a clam basket, what -- how do I know those clams are tested? "Well, those go through my mouse bioassay also," he says, "we're working on a new method, but there is no simple, quick way you could go out and test clams for safety. And you can define -- he said you can have clams that are safe on one part of the beach and it might be poisoned on the other side of the beach."

20

21 CHAIRMAN OLSEN: So, that kind of -- I don't know, we always looked at the red tide as being the culprit that spread this disease, and I know that last spring it was, by far, the biggest red tide I've ever seen on the island here that took place on the east side. But I guess with that information, whether I believe it or not -- but I was just wondering what other identification we might be able to, visual or otherwise, note for dangers of PSP.

29

30 MR. MISHLER: Well, I'll pass on -- that's what I heard from the scientist. Now I'll pass on what I heard from a Old Harbor elder who told me he's eaten clams all his life and never gotten sick, and he said that he looks at the clam, and if they're dark inside the shell, if the inside of the shell is dark or if the clam meat itself is dark then disregard it, don't eat that clam. And I think he -- he had a couple of other things but right now they've slipped my mind. But that was one of the indicators he used.

39

40 MR. CHRISTENSEN: And there was one about being able to eat clams on the months with an R in them.

42

43 MR. MISHLER: Well, the scientist told me there's no value in that, that you should not go by the R months or the non R months as a guide to when you should eat clams.

46

47 CHAIRMAN OLSEN: Has there been any differentiation between the habitat of where the clam comes from? I mean some of 'em you find in a good, heavy rock, and others you find in

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the muck. Would there be anything that might be residual or withhold PSPs not to escape, or is there any studies you know of that have studied the environment of a clam which

4

5 MR. MISHLER: I've sampled clams from different areas around the island here to -- for sampling it for hydrocarbon testing when -- after the oil spill, and I've seen clams that were completely black that were perfectly good clams. They were in a gravel bed or sand bed that were very black, and I've seen them where they were very white, and I've seen them where they were mottled white and black, and they're all butter clams and they all tend to be good clams. I don't think the coloration of the outside of the shell is any indication, but one of the other things that this gentleman was telling me was that if the clam -- when you go to open and shuck the clam if it doesn't resist your knife, if the muscle is weak, that's another sign that the clam is not healthy to eat. It should tighten up as you go to cut it. So those are the words of orders. I'd go by that.

20

21 CHAIRMAN OLSEN: Is there any more questions here for Craig on the issues to which he has just spoken of?

23

24 MR. HAAKANSON: How long before we get to the report on the clams? Were you going to eat some tonight and tell us whether we can have a plate?

27

28 MR. MISHLER: I love clams myself, sure.

29

30 (Off record comments)

31

32 CHAIRMAN OLSEN: Well, hearing no more questions here, I think that we will at this time go ahead and call it a day and to resume again tomorrow morning.

35

36 MR. CHRISTENSEN: I'd like to make one -- maybe just one question. I was wondering, well, of course you've got to figure out what time we're going to start in the morning, but don't we have to go into executive session? I was wondering if we could bump that executive session up to the morning where we could get that over with and so that halfway through the meeting, you know, we don't have to -- either us go someplace else or clear the room.

44

45 CHAIRMAN OLSEN: Yeah, as we had agreed, it's a very flexible agenda at this point. I think these will be things that we should be considering tonight before we reconvene again in the morning. So,

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1 MR. HAAKANSON: One last thing, Mr. Chairman, if I may.
 2 I feel it's real important and I feel bad because we're not
 3 represented, even Kaguyak and Old Harbor. I've talked with
 4 guys just briefly, and right now we'd like to recommend that
 5 Freddie Christiansen be seated on your board if we can get an
 6 application. If there's anybody else that feels someone else
 7 could do it, bring it up, but I think it's important we act on
 8 something now. And we'll need the city or tribal to sponsor
 9 this, and if you've got that form, we'd like to get it done
 10 before you leave.

11
 12 CHAIRMAN OLSEN: Yes, Sven, unfortunately the council
 13 has absolutely nothing to do with the appointment. These are
 14 appointments through the Secretary of Interior and the
 15 Secretary of Agriculture. It is quite a -- as I responded
 16 before, we do have a graph in here showing how council members
 17 are appointed and how they are determined. But as far as the
 18 council itself, we have absolutely nothing to do with the
 19 process other than getting out and trying to get people to fill
 20 out the applications.

21
 22 MR. HAAKANSON: Okay. Thank you. Do we have
 23 applications here?

24
 25 MR. DIRKS: Yes, there should be some in the back on
 26 the table.

27
 28 MR. FRED CHRISTIANSEN: Mr. Chairman, may I speak for a
 29 minute?

30
 31 CHAIRMAN OLSEN: Certainly.

32
 33 MR. FRED CHRISTIANSEN: I'm going to be leaving
 34 probably tomorrow morning, going to the rest of the KANA
 35 meetings that we have, and I'd like to take the time to thank
 36 you guys for coming down. And I've enjoyed being here for the
 37 few hours I've been here, but I'll probably see you guys around
 38 next time somewhere in a meeting. Thanks for coming down.

39
 40 CHAIRMAN OLSEN: You bet.

41
 42 MR. HAAKANSON: What time in the morning?

43
 44 CHAIRMAN OLSEN: Nine o'clock was on my mind. Is that
 45 all right with the rest of you?

46
 47 MR. CHRISTENSEN: Well, like I was saying, too, we need
 48 to have this executive session, we could do that right off the
 49 bat. That way everybody else could just come in a little

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1 later. Just figure out how much time it will take us.

2

3 CHAIRMAN OLSEN: I don't think it will take long.

4

5 MR. HAAKANSON: Well, if you go into executive session
6 at 9:00, we can come at 10:00.

7

8 MR. CHRISTENSEN: It shouldn't take us that long.

9 We'll just come in at 8:30 ourselves.

10

11 CHAIRMAN OLSEN: Okay, we'll resume at 9:00 o'clock
12 then. We stand in recess. Thank you all for coming.

13

14 (Off record)

15

16

(PROCEEDINGS TO BE CONTINUED)

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2 the hour of 1:00 o'clock p.m., at the Community Hall, in Old
3
4 Harbor, Alaska;

5
6 THAT this Transcript, as heretofore annexed, is a true
7
8 and correct transcription of the proceedings, recorded by
9
10 Laurel L. Evenson and thereafter transcribed by
11
12 Laurel L. Evenson.

13
14 IN WITNESS WHEREOF, I have hereunto set my hand and
15
16 affixed my seal this 24th day of February 1995.

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20 Notary in and for Alaska
21 My commission expires: 10/10/98
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